

**Mercer County Commission
Minutes
July 3, 2019**

The meeting was called to order at 9:00 a.m. by Chairman Duane Scheurer. Present were Commissioners Dwight Berger, Wayne Entze, Marv Schwehr, Merlin Dahl and Auditor Shana Brost. Others present during portions of the meeting were Jessica Binder, Bill Tveit, Charlie Hoffer, Cyndi Zueger, Travis Nelson, Mike Wolf, Jim Albers, Ken Miller, Elroy Opp, Carmen Reed, Brent Eckstrom, Terry Ternes, Darbie Berger, and Daniel Arens of BHG News.

Dahl moved to approve the agenda. Schwehr seconded. Berger stated he would like to know about the ad in the paper. Scheurer stated he knew about it but didn't think it needed to be publicized. Berger stated he was wondering if it was a replacement or what was going on. Scheurer stated he would talk about it under portfolios. All voted aye. Motion carried.

Entze moved to approve the minutes of June 19th and June 28th. Schwehr seconded. All voted aye. Motion carried.

The board reviewed the bills. Berger moved to approve the bills. Schwehr seconded.

The following vouchers (#40103-40145) were approved for payment: ADVANCED BUSINESS METHODS, \$465.62; AMERIPRIDE SERVICES INC., \$123.11; ASKIM, CRAIG, \$297.54; BEULAH JOB DEVELOPMENT AUTHORITY, \$606.34; BHG, INC., \$569.76; BOSCH, GWYN, \$139.20; BROST, SHANA, \$188.53; BUTLER MACHINERY CO., \$2,068.60; CARDMEMBER SERVICE, \$735.56; CITY OF BEULAH, \$81.99; DACOTAH PAPER CO., \$880.11; DIGITAL ALLY, INC., \$300.00; EGGERS ELECTRIC MOTOR CO., \$160.70; ELECTRONIC COMMUNICATIONS INC., \$430.00; FARMERS UNION OIL CO., \$36.98; HAZEN HARDWARE HANK, \$119.79; HAZEN MOTOR CO., \$240.00; INTERSTATE ENGINEERING INC., \$1,472.50; ISTATE TRUCK CENTER, \$73.22; JOHNSON CONTROLS, \$390.40; KEMMET, DENA, \$222.14; LAKE VIEW SERVICES, LLC., \$11,520.00; LANGOWSKI, GONTRAN, \$179.80; LYLE SIGNS INC. NW7165, \$2,266.82; MIDWEST DOORS INC., \$200.00; MONTANA DAKOTA UTILITIES, \$59.63; ND EMERGENCY MANAGEMENT ASSOCIATION, \$125.00; NELSON INTERNATIONAL, \$108.04; NEUBERGER OIL COMPANY, \$1,770.23; NORTHWEST TIRE AUTO SERVICE INC., \$1,710.00; ORIENTAL TRADING COMPANY, \$20.38; QUILL OFFICE PRODUCTS, \$163.97; RDO EQUIPMENT CO., \$56.83; REED, CARMEN, \$236.64; SAILER SEPTIC SERVICE, \$140.00; SOUTHWEST WATER AUTHORITY, \$51.15; TITAN MACHINERY, \$48.05; TOWER COMMUNICATIONS INC., \$555.00; VENTURE MARKETING, \$29.95; VERIZON WIRELESS, \$896.25; VIVINT, INC., \$59.99; WESTLIE MOTOR COMPANY, \$106.28; WORKFORCE SAFETY & INSURANCE, \$285.66. All voted aye. Motion carried.

Dahl moved to approve raffle permit #2019-2 to Beulah Lions Club, #2019-3 to Beulah Little People Preschool, and #2019-4 to Beulah Quarterback Club for 50/50 raffle for the Dakota Walleye Classic. Schwehr seconded. All voted aye. Motion carried.

Cyndi Zueger, Tax Director/Land Use Administrator, presented two (2) zoning cases to the board.

#19-06-01: A Conditional Use Permit issued to Travis Nelson for a non-farm residence located in Lots C & E in the NE ¼ Section 2 T144N R87W. The following conditions apply: The present and future owners are responsible for snow removal and maintenance of private roads and approaches. Septic system must meet Custer Health District standards and provide a school bus turnaround if needed. Approach approval from the County Road Superintendent. County makes no assurances as to the passability of the unimproved section line leading to the residence. Landowner will be responsible for expenses of future improvements of the section line, subject to prior approval of the county. Schwehr moved to approve zoning permit #19-06-01. Dahl seconded. Entze questioned if a culvert is needed and Travis Nelson responded it wasn't. Berger asked if it was a completely new place or an existing farmstead. Nelson stated there is a barn, electricity, and well. All voted aye. Motion carried.

#19-06-02: A Conditional Use Permit issued to Kasey Lesmann for a non-farm residence on Parcel C in the NE ¼ Section 10 T144N R87W. The following conditions apply: The present and future owners are responsible for snow removal and maintenance of private roads and approaches. Septic system must meet Custer Health District standards and provide a school bus turnaround if needed. Approach approval from the County Road Superintendent. County makes no assurances as to the passability of the unimproved section line leading to the residence. Landowner will be responsible for expenses of future improvements of the section line, subject to prior approval of the county. Schwehr moved to approve zoning permit #19-06-01. Dahl

seconded. Berger asked if this farm was new or existing and Zueger stated it was new. All voted aye. Motion carried.

The board reviewed the NDSU Extension Highlights. No further action was taken. Schwehr discussed the budget process with the board. He stated he has suggested twice that the board sets goals and disagrees that it is not practical for public service. Schwehr added the board needs to make a plan of intent and doesn't see the commission doing this. Schwehr recommended holding a special meeting to do so. Mike Wolf, NDACo County Employer Group (CEG), discussed the 2018 Worker's Comp discounts with the board. Wolf stated the Learning Management System (LMS) participants received a 5% discount in the amount of \$2,743.46 for taking the quarterly safety training. Mercer County also received \$2,743.46 for participating in CEG's mandatory Claims Management and Drug Free Workplace Training Program. The reward for the aggressive claims management and safety programs and practices was \$9,366.94. Wolf congratulated Mercer County for earning a total reimbursement of \$14,823.86, stating the Risk Managers and Auditors should be proud of these accomplishments. The board thanked Wolf for coming in.

In road issues, Ken Miller, Road Superintendent, stated Tracy Dove was present to talk about the road where she lives being public access. State's Attorney Binder stated the public easement right-of-way is 25 ft. on each side of the road. The road is privately owned but the county has the public easement. Binder added Dove would like to put a fence in the right-of-way. Dove stated she is located in Lot 5 and they are having difficulties with erosion and the ditch has been filled in with gravel. Dove requested permission to put a fence in and pull gravel back up onto the road to take care of the erosion problem. Dahl asked if this was a Planning & Zoning issue. Binder stated allowing an encroachment in a public easement is a board decision. Scheurer asked how close the fence will be to the road. Dove stated it would be 14.5 ft. at most into the easement. Miller stated it might be a snow trap but since it is seasonal it might be ok. Miller added the county has zero jurisdiction over this road. Binder stated landowners within the subdivision are obligated to maintain road within. Dove stated they are hoping to stabilize the road and seed the grass. Schwehr asked Dove to bring in a letter from adjacent landowners stating they will allow this. The topic was tabled until the next meeting.

Miller added they were busy graveling last week and mowed cemeteries.

Carmen Reed, Emergency Manager/911 Coordinator, reviewed her 2020 Budget with the board. Reed stated in regards to SIRN her advice would be to let the east side of the state go first and work all the bugs out. Reed stated she has an estimate of \$356,000 to change out all the radios in dispatch, which would need to happen three (3) to four (4) years down the road. Reed stated she would look at all her options and decide in agreement with the Sheriff's Department. Reed also updated the board on the Census process. The board thanked her for coming in.

The board recessed at 10:38 AM.

The board reconvened at 10:42 AM.

Brent Eckstrom, Director of the Lewis and Clark Regional Development Council, gave the board an update. Eckstrom stated he is serving on the North Dakota Complete Task Force for Census 2020, explaining to the board the importance of the Census and for each person missed it amounts to \$19,000 over 10 years. Eckstrom also discussed the Governor's Main Street program in which every community will be eligible for a grant of up to \$100,000 to revitalize downtown areas. Eckstrom stated there is \$750,000 to \$1M available for these Community Development Block Grants. Eckstrom informed the board last year they decrease the counties contribution from 2 mills down to 1.5, and they will be keeping it the same again for 2020. The board thanked Eckstrom for the update and for coming in.

The board gave their portfolio updates.

There being no further business the meeting was adjourned at 11:03 AM. The next special meeting will be held on July 16, 2019 at 1:00 PM in the board room of the Mercer County Government Center. The next regular meeting is scheduled for July 17, 2019, at 9:00 AM in the board room of the Mercer County Government Center, Stanton, North Dakota.

Approved: _____
Duane Scheurer, Chairman

Attest: _____
Shana L. Brost, Auditor