

**REGULAR MEETING OF CASS COUNTY BOARD OF COMMISSIONERS  
MARCH 7, 2016**

**1. MEETING CALLED TO ORDER**

Chairwoman Mary Scherling called the meeting to order at 3:30 PM with all members present as follows: Ken Pawluk, Rick Steen, Arland H. Rasmussen, Chad M. Peterson and Mary Scherling.

**2. PLEDGE OF ALLEGIANCE**

Heather Worden led the Pledge of Allegiance.

**3. MINUTES APPROVED**

*MOTION, passed*

**Mr. Steen moved and Mr. Peterson seconded that the minutes of the previous meeting be approved as written. Motion carried.**

**4. AGENDA, Order approved**

*MOTION, passed*

**Mr. Pawluk moved and Mr. Peterson seconded to approve the order of the agenda with the addition of a contract to the consent agenda. Motion carried.**

**5. CONSENT AGENDA APPROVED**

*MOTION, passed*

**Mr. Pawluk moved and Mr. Rasmussen seconded to approve the consent agenda as follows: On roll call vote, the motion carried unanimously.**

- a. Authorize the county auditor to offer one all-terrain vehicle (ATV) at public sale with the proceeds to go back into the Weed Control Fund.
- b. Authorize the purchase of two copiers from Liberty Business Systems in the amount of \$15,574 for Social Services; and authorize the chairwoman to sign a purchase order with RDO Integrated Controls in the amount of \$27,575 for surveying equipment for the Highway Department.
- c. Receive and file Indemnity Bonds on Lost Instrument for Property Resources Group, PLC Investments LLC, Brandt Crossing LLC, Sue Quamme, Scott Dale Upton, Law Office of Nancy Phillips, Farrell & Seldin, and Zhi Xin Zeng; and authorize the county auditor and county treasurer to issue duplicate checks.
- d. Ratify the actions of the Building Committee meeting held February 29, 2016, authorizing the purchase of a radio repeater system for \$17,010.75 and installation costs of \$1,882 for the Cass County Law Enforcement Center.
- e. Authorize the chairwoman to sign the grant adjustment notice for award number 2013-DJ-BX-0526 through the Bureau of Justice Assistance to purchase cell booster towers and dual band radio equipment for School Resource Deputies.
- f. Approve fundraising events proposed by the Cass County Employee Wellness Committee with proceeds used to purchase prizes for wellness and fitness challenges for Cass County Government employees throughout the 2016 calendar year.
- g. Approve a permit for fireworks display to be held at 9:00 PM on May 7, 2016, at Starr Fireworks, 10908 38<sup>th</sup> Street South in Horace, North Dakota.
- h. Approve a poker permit for Relay for Life – Microlap Technologies, Inc. for a tournament to be held March 13, 2016, at the Knickerbocker Liquor Locker in Hickson, North Dakota.

- i. Adopt Resolution #2016-3 implementing spring load restrictions on county highways, as follows:

RESOLUTION #2016-3  
IMPLEMENT SPRING LOAD RESTRICTIONS  
ON COUNTY HIGHWAYS

WHEREAS, Soft base conditions experienced during spring thaw reduce the load carrying capacity of County Highways;

WHEREAS, The Cass County Board of Commissioners desires to prevent serious damage to County Highways;

WHEREAS, 39-12-03 of the North Dakota Century Code authorizes local authorities to impose vehicle weight restrictions on County Highways;

NOW, THEREFORE, BE IT RESOLVED, by the Cass County Board of Commissioners that spring load restrictions will be imposed upon Cass County Highways in the following manner:

All County Highways to be posted in accordance with the Cass County 2016 Spring Load Restriction Map dated March 1, 2016. Spring load restrictions will be effective at 12:01 AM on or after March 8, 2016, as determined by the County Engineer.

- j. Authorize the chairwoman to sign the authorization application waiver required by the Federal Aviation Administration and a purchase order in the amount of \$35,000 with Airborne Custom Spraying for the 2016 retainer fee for aerial mosquito spraying services.
- k. Contract approval
- North Dakota Department of Transportation—federal aid construction project to pave County Highway 15 and County Highway 16;
  - Swanston Equipment Company—pavement marking installation on various county highways;
  - ASTECH Corporation—crack, clean and seal projects on various county highways;
  - ASTECH Corporation—seal coat projects on County Highways 6, 7, 14, 21, and 81;
  - Flood lot lease renewals for 2016;
  - Election Systems & Software (ES&S)—agreement for ballot stock and ballot printing services for the 2016 elections.

**6. SHERIFF'S OFFICE, Peace officer training reimbursement agreement approved**

Sheriff Paul D. Laney discussed an agreement for employer-sponsored peace officer training. He said over the years some staff have attended peace officer training and then left county employment for other career opportunities, i.e. as patrol officers with local police departments. The cost of training is approximately \$4,700. An agreement has been drafted for staff to voluntarily sign that authorizes cost reimbursement if he or she chooses to take a job outside of Cass County.

The employee agrees to the following reimbursement schedule if he or she leaves the county prior to obtaining the peace officer's license or within three calendar years of the license being issued:

- Prior to obtaining license or prior to one calendar year of license issuance, reimbursement due is the full value of training cost;

- From one calendar year but prior to two calendar years, reimbursement due is 2/3 of the full value;
- At or after two calendar years, reimbursement due is 1/3 of the full value;
- At or after three calendar years, no reimbursement is due.

Sheriff Laney said this is a best practice used across the country in other law enforcement agencies and provides some financial protection to the county. Mr. Rasmussen believes the agreement is the right thing to do. Mr. Steen supports the concept but questioned the three-year period, which seems excessive to him. Sheriff Laney believes the three-year schedule is fair.

***MOTION, passed***

**Mr. Rasmussen moved and Mr. Peterson seconded to approve the agreement allowing reimbursement of funds expended by Cass County Government for North Dakota Peace Officer training from the employee if he or she severs employment under the circumstances outlined in the agreement. On roll call vote, the motion carried unanimously.**

**7. VOUCHERS, Approved**

***MOTION, passed***

**Mr. Rasmussen moved and Mr. Steen seconded to approve Voucher No. 291,471 through Voucher No. 291,740. On roll call vote, the motion carried unanimously.**

**8. MEETING UPDATES; FEMA FLOOD PLAIN MAPS; SOCIAL SERVICES FUNDING; FLOOD DIVERSION UPDATE, Committee reports**

Commissioners reported on meetings they have attended in the past few weeks.

A series of meetings will be held on March 16<sup>th</sup> and March 17<sup>th</sup> at the Cass County Planning Office with representatives from FEMA and North Dakota State Water Commission to discuss preliminary products associated with the FEMA Risk MAP (Mapping, Assessment and Planning) program.

Michael Montplaisir, County Auditor, serves on a legislative Social Services working group that is studying Social Services funding. He said the state is still considering a takeover of funding, which may involve eliminating or lowering the 12% property tax credit as a source of funds.

Mr. Montplaisir said a new cost estimate for the FM Diversion project will soon be released. He said local officials are looking at long-term financing options and plan to provide a recommendation in April.

**9. CORRESPONDENCE, Received and filed**

***MOTION, passed***

**Mr. Peterson moved and Mr. Rasmussen seconded to receive and file correspondence outlined by the secretary as follows: Motion carried.**

- Notice from the North Dakota Public Service Commission regarding a public hearing on applications for a certificate of corridor compatibility and route permit filed by Cenex Pipeline, LLC for a refined petroleum product storage and distribution facility near Prosper, North Dakota;

- Findings of Fact, Conclusions of Law and Order from the North Dakota Public Service Commission on applications for certificate of corridor compatibility and route permit from NuStar Pipeline Operating Partnership L.P. for an eight-inch refined products pipeline in Cass County;
- 2015 yearly review from the West Central Regional Juvenile Center.

**10. ADJOURNMENT**

***MOTION, passed***

**On motion by Mr. Pawluk, seconded by Mr. Peterson and all in favor, the meeting was adjourned at 4:34 PM.**

ATTEST:

APPROVED:

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Michael Montplaisir – Auditor  
Cass County, North Dakota

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Mary Scherling, Chairwoman  
Cass County Board of Commissioners