

The Traill County Commissioners came to order on June 20, 2017 at 8:00 a.m. with the following members present: Commissioner Eblen, Commissioner Elliott, Commissioner Nesvig, Commissioner Young and Commissioner Amb.

MINUTES: On motion of Elliott, seconded by Young and carried to approve the minutes of June 6, 2017 as presented.

IDEMNITY BOND: On motion of Eblen, seconded by Amb and carried to approve the Indemnity Bond for Lost Instrument filed by Kathleen Hansen, Auditor's check #90966 in the amount of \$54.04.

CLIFFORD FARMERS COOP: On motion of Amb, seconded by Young and carried to approved the Anhydrous Ammonia License Application for the Clifford Farmers Coop Elevator at their Galesburg Plant.

STATES ATTORNEY: Charles Stock, States Attorney presented the imposition of Victim Fees resolution which the ND Legislature recently passed.

Commissioner Amb introduced the following resolution and moved its adoption which motion was seconded by Commissioner Young:

A RESOLUTION FOR IMPOSITION OF VICTIM FEES IN ALL LAW VIOLATIONS THAT HAVE IMPRISONMENT AS A PENALTY:

WHEREAS, The 2017 North Dakota Legislature recently passed and the Governor signed HB 1003; and

WHEREAS, HB 1003 contained a requirement that cities and counties help fund improvements to the Statewide Automated Victim Information and Notification Program (SAVIN); and

WHEREAS, HB 1003 amended N.D.C.C. 27-01-10 to require the governing body of a county to pass a resolution authorizing district court judges to impose a fee of not more than \$25.00 on ALL crimes which have imprisonment as a possible consequence; and

WHEREAS, HB 1003 is set to become effective July 1, 2017.

NOW, THEREFORE, be it ordained by the Board of Commissioners of the County of Traill, is hereby passed this 20th day of June, 2017, a resolution requesting the district court judges to impose such a victim fee on all crimes where imprisonment is a possibility and regardless of whether imprisonment is imposed or not, to be collected and distributed to the county to be used for victim service's improvements.

The following members were present and voted aye for the adoption of the foregoing resolution: Eblen, Elliott, Nesvig, Young and Amb. The resolution was declared adopted.

HILLSBORO CITY: Jim Anderson, Public Works Director met with the Board. A grant has been submitted to the state for edge milling and overlay project and Hillsboro City would like help in paying for a portion of Caledonia Avenue. This request was tabled until meeting with Corwyn Martin, Road Superintendent.

LEC PROJECT: Bobby Hepper-Olson, Architect gave updates on the LEC project. On motion of Young, seconded by Amb and carried to approve \$ 5,225.00 to repair and paint the Social Service office walls that were damaged in the remodel project. On motion of Young, seconded by Eblen and carried to approve change orders for Diversified Contractor, Inc. as presented. On motion of Young, seconded by Amb and carried to approve the change orders for RBB Electric as presented.

SHERIFF: Steve Hunt, Sheriff presented the "Statement of Inspection" received from the office of ND Department of Corrections & Rehabilitations. Traill County is in compliance with state and federal law requirements according to the N.D.C.C. Chapter 12-44.1.M. Sheriff Hunt informed the board the new Deputy Sheriff is starting today and the advertisement for 911 Dispatcher/Jailer is in the paper.

HIGHWAY: Corwyn Martin, Road Superintendent met with the board on various matters. On motion of Amb, seconded by Eblen and carried to approve the County Road/Right-Of-Way Encroachment and Crossing Permit filed by Taft Elevator (Division of Rahr Malting Co.) for one crossing along County Road #13 in section 17 of the SW ¼ in Eldorado Township. Matt Lange, KLJ gave updates on various bridge issues. Hydraulic analysis has been completed on Bridge 111 and options will be discussed at the next meeting.

The Traill County Commission had a public hearing starting at 9:00 a.m. for the creating of the Goose River Snagging and Clearing District and the Elm River Snagging and Clearing District, both for tax year

2017. Also present were members of the Traill County Water Board, Moore Engineering, Charles Stock Traill County States Attorney and Marlin Stokke.

Commissioner Young introduced the following resolution and moved its adoption:

**RESOLUTION DECLARING THE NECESSITY TO CREATE
GOOSE RIVER SNAGGING AND CLEARING DISTRICT NO. 2017-01**

WHEREAS, the Traill County Commission (the “County”) and the Traill County Water Resource District (the “District”) have cooperated regarding the creation of GOOSE RIVER SNAGGING AND CLEARING DISTRICT NO. 2017-01.

WHEREAS, the District’s jurisdictional boundaries include certain portions of the Goose River, and the District has concluded certain snagging, clearing, cleaning, and maintenance is necessary in portions of the Goose River within the District’s jurisdictional boundaries.

WHEREAS, more specifically, the District previously declared the necessity to create GOOSE RIVER SNAGGING AND CLEARING DISTRICT NO. 2017-01, a snagging and clearing district under N.D. Cent. Code § 61-16.1-09.1, for purposes of financing and funding a snagging, clearing, and maintenance project on that portion of the Goose River depicted in the map attached to this RESOLUTION as **Exhibit A** (the “Project”).

WHEREAS, the District previously analyzed and investigated that portion of the Goose River watershed in the vicinity of the Project to determine what parcels of real property would benefit from the Project, and approved a preliminary assessment list for GOOSE RIVER SNAGGING AND CLEARING DISTRICT NO. 2017-01 comprised of real properties that will benefit from the Project.

WHEREAS, the District and the County cooperated to conduct a joint public hearing regarding the Project and the proposed creation of GOOSE RIVER SNAGGING AND CLEARING DISTRICT NO. 2017-01 on June 20, 2017, preceded by all requisite notices in accordance with Section 61-16.1-09.1. WHEREAS, at the hearing, the District and its engineer explained the necessity for the Project; the lack of a sufficient alternative funding mechanism to fund snagging, clearing, cleaning, and maintenance along the Goose River; the benefits the Project will provide to certain properties within the Goose River watershed; and the need to create GOOSE RIVER SNAGGING AND CLEARING DISTRICT NO. 2017-01 under Section 61-16.1-09.1 to finance and fund the Project.

WHEREAS, if both the District and the County approve the creation of GOOSE RIVER SNAGGING AND CLEARING DISTRICT NO. 2017-01 by two-thirds votes, the District can levy special assessments against properties that will benefit from the Project, up to a maximum of \$0.50 per acre for ag lands, and \$0.50 per \$500 of taxable valuation for non-ag property.

WHEREAS, under Section 61-16.1-09.1, the total amount of assessments the District collects for the Project must be less than \$100,000.00; following expenditure of all assessments levied for purposes of the Project by the District, if the District wishes to conduct additional snagging and clearing in the same natural watercourse, the District must create a new snagging and clearing district, and must follow all procedures under Section 61-16.1-09.1 to create the new district, including an additional joint hearing with the County.

WHEREAS, the County has reviewed the proposed Project; the County has considered the benefits the Project would provide to certain property within the Goose River watershed; and the County has considered the necessity to create GOOSE RIVER SNAGGING AND CLEARING DISTRICT NO. 2017-01.

WHEREAS, under Section 61-16.1-09.1, creation of GOOSE RIVER SNAGGING AND CLEARING DISTRICT NO. 2017-01 requires approval by two-thirds of the County and two-thirds approval by the District.

NOW THEREFORE BE IT RESOLVED, that the Board of County Commissioners, Traill County, North Dakota, declares it necessary to create GOOSE RIVER SNAGGING AND CLEARING DISTRICT NO. 2017-01 for the benefit of the properties within the Goose River watershed that benefit from and rely upon the Goose River for improved drainage and other benefits.

BE IT FURTHER RESOLVED, that the Board of County Commissioners, Traill County, North Dakota, authorizes, approves, and orders the creation of GOOSE RIVER SNAGGING AND CLEARING DISTRICT NO. 2017-01.

Upon roll call vote all commissioners were present and voted in favor of the foregoing resolution. Motion carried and resolution adopted.

Commissioner Elliott introduced the following resolution and moved its adoption:

**RESOLUTION DECLARING THE NECESSITY TO CREATE
ELM RIVER SNAGGING AND CLEARING DISTRICT NO. 2017-01**

WHEREAS, the Traill County Commission (the “County”) and the Traill County Water Resource District (the “District”) have cooperated regarding the creation of ELM RIVER SNAGGING AND CLEARING DISTRICT NO. 2017-01.

WHEREAS, the District’s jurisdictional boundaries include certain portions of the Elm River, and the District has concluded certain snagging, clearing, cleaning, and maintenance is necessary in portions of the Elm River within the District’s jurisdictional boundaries.

WHEREAS, more specifically, the District previously declared the necessity to create ELM RIVER SNAGGING AND CLEARING DISTRICT NO. 2017-01, a snagging and clearing district under N.D. Cent. Code § 61-16.1-09.1, for purposes of financing and funding a snagging, clearing, and maintenance project on that portion of the Elm River depicted in the map attached to this RESOLUTION as **Exhibit A** (the “Project”).

WHEREAS, the District previously analyzed and investigated that portion of the Elm River watershed in the vicinity of the Project to determine what parcels of real property would benefit from the Project, and approved a preliminary assessment list for ELM RIVER SNAGGING AND CLEARING DISTRICT NO. 2017-01 comprised of real properties that will benefit from the Project.

WHEREAS, the District and the County cooperated to conduct a joint public hearing regarding the Project and the proposed creation of ELM RIVER SNAGGING AND CLEARING DISTRICT NO. 2017-01 on June 20, 2017, preceded by all requisite notices in accordance with Section 61-16.1-09.1.

WHEREAS, at the hearing, the District and its engineer explained the necessity for the Project; the lack of a sufficient alternative funding mechanism to fund snagging, clearing, cleaning, and maintenance along the Elm River; the benefits the Project will provide to certain properties within the Elm River watershed; and the need to create ELM RIVER SNAGGING AND CLEARING DISTRICT NO. 2017-01 under Section 61-16.1-09.1 to finance and fund the Project.

WHEREAS, if both the District and the County approve the creation of ELM RIVER SNAGGING AND CLEARING DISTRICT NO. 2017-01 by two-thirds votes, the District can levy special assessments against properties that will benefit from the Project, up to a maximum of \$0.50 per acre for ag lands, and \$0.50 per \$500 of taxable valuation for non-ag property.

WHEREAS, under Section 61-16.1-09.1, the total amount of assessments the District collects for the Project must be less than \$100,000.00; following expenditure of all assessments levied for purposes of the Project by the District, if the District wishes to conduct additional snagging and clearing in the same natural watercourse, the District must create a new snagging and clearing district, and must follow all procedures under Section 61-16.1-09.1 to create the new district, including an additional joint hearing with the County.

WHEREAS, the County has reviewed the proposed Project; the County has considered the benefits the Project would provide to certain property within the Elm River watershed; and the County has considered the necessity to create ELM RIVER SNAGGING AND CLEARING DISTRICT NO. 2017-01.

WHEREAS, under Section 61-16.1-09.1, creation of ELM RIVER SNAGGING AND CLEARING DISTRICT NO. 2017-01 requires approval by two-thirds of the County and two-thirds approval by the District.

NOW THEREFORE BE IT RESOLVED, that the Board of County Commissioners, Traill County, North Dakota, declares it necessary to create ELM RIVER SNAGGING AND CLEARING DISTRICT NO. 2017-01 for the benefit of the properties within the Elm River watershed that benefit from and rely upon the Elm River for improved drainage and other benefits.

BE IT FURTHER RESOLVED, that the Board of County Commissioners, Traill County, North Dakota, authorizes, approves, and orders the creation of ELM RIVER SNAGGING AND CLEARING DISTRICT NO. 2017-01.

Upon roll call vote all commissioners were present and voted in favor of the foregoing resolution. Motion carried and resolution adopted.

On motion duly made and carried, the following bills presented to the Board were order paid to-wit:

91455	Advanced Drainage Sys.	4668.51	91456	Axon Enterprise, Inc.	102.84
91457	Aggregate industries	200.00	91458	Bismarck Comfort Inn	81.90
91459	Buxton Farmers Union	5278.22	91460	Central Door & Har.	162.25
91461	Century Link	84.00	91462	Cole Papers Inc.	123.20
91463	Dale's Food Pride	5.90	91464	Marlene Eblen	223.40
91465	Envirotech Heating & Air	192.20	91466	Ecolab Pest Elim.	128.18
91467	GF Co Correctional Center	5625.00	91468	Grand Forks Co. Sher.	36.00
91469	Gillund Enterprises	270.54	91470	Crookston Greenway	288.25
91471	Glenda Haugen	45.50	91472	Hillsboro Banner	441.80
91473	Hatton CO-OP Oil	190.49	91474	Hatton Ford Inc.	3424.86
91475	Hepper Olson Arch.	1711.52	91476	Heather Hovey	285.96
91477	Halstad Telephone Co.	35300.25	91478	Stephen Hunt	175.96
91479	Information Tech Dept.	1447.55	91480	Integrated Weed Co.	4595.00
91481	KRB Gravel LTD	13940.00	91482	Menards – GF	129.99
91483	Mayport Farmers Co-op	622.29	91484	Magnuson's Tires	498.88
91485	Farnam's Genuine Parts	22.98	91486	NDACO	22.00
91487	NDAAO	105.00	91488	ND 24-7 Att. General	1135.00
91489	Nodak Electric Coop	131.33	91490	OK Tire Store	137.31
91491	Ottertail Power Co.	69.72	91492	Pharm Chem Inc.	489.80
91493	Portland Farmers Union	217.78	91494	Praxair	285.25
91495	Premium Waters Inc.	102.00	91496	RBB Electric	275.56
91497	Reardon Office Equip.	1257.98	91498	Schaeffer's	389.70
91499	Sorum Oil Company	181.50	91500	Stutsmand County	9.50
91501	Grand Forks – Strata Corp	27479.10	91502	Toshiba Financial TX	118.59
91503	Traill County Tribune	1250.04	91504	Viking Insurance	605.00
91505	Visa	520.13	91506	Visa	160.00
91507	Watchguard	5020.00	91508	Connie Weber	441.40

There being no further business to be brought before the board Chairman Nesvig adjourned the meeting at 10:00 a.m. to meet again July 5, 2017 at 8:00 a.m.

Attest:

Glenda Haugen, County Auditor

Kendall Nesvig, Chairman