

January 8, 2019

The Williams County Commission met in regular session this 8th day of January, 2019 beginning at 8:00 AM in the Commission Room of the Williams County Administrative Building.

Chairman Montgomery called the meeting to order. Innis took roll call of: Ramberg-here, Hanson-here, Anderson-absent, and Kemp-absent.

There being a quorum, Chairman Montgomery proceeded.

Ramberg moved Hanson seconded approval of the consent agenda:

1. Abatements: 2018 Valerie Barkie, Homestead Credit for Westlawn 2nd Addition L7 B24 to the City of Williston; 2018 Blackout Energy Services Inc. Value Adjustment for L 12-13-14 All Less S10' & Less 83 Sq Ft for Hwy R/W B2 Ruetten Addition to the City of Williston; 2018 Emil O Bleken DAV Credit for Unplatted Alamo 75X200X75X160 ft in SWNW Section 22 T159 R99; 2018 Hess North Dakota Export Logistics LLC Value Adjustment for SESE EX Sublot 4 & PT of Sublot 2 Section 32 T156 R95 Pleasant Valley Township; 2017/2018 Calvin G Melby Homestead Credit for City of Ray North Addition L3 B16; 2018 New Hope Church Value Adjustment for L 1, 2 plus 24' vacated ROW EX W24' Dedicated ROW EX State B1 Holm's 1st Subdivision Rearrangement B2; 2018 Secretary of Housing and Urban Development Value Adjustment for City of Williston Barnfather Addition L 1 B 6; 2018 Stropiq Meadows Partners LP Value Adjustment for L1 Rearrangement B1, 3, 7,8 & Sublot 4 B7 The Meadows Subdivision; 2018 Trail Riders Club Privileged Exemption Possessory Interest in PT SWNE Section 1 T154 R101 Unplatted Williston; 2017/2018 Westchem Agri Chemicals Inc. C/O Nutrien AG Solutions Value Adjustment Judson Township L1 Dallas Vig Subdivision Section 24 T154 R102; and 2018 Keith York Disability Adjustment for Lone Willow Subdivision L 10, 11.
2. Bills to be paid January 9.
3. 1% Public Safety Award- Grenora/Ray/Tioga Ambulance- \$3,580.28; Tioga Ambulance- \$33,759.68, \$5,903.02; Tioga Police- \$26,200.00, \$10,200.00; Tioga City Fire- \$7,546.15; Williams County Emergency Management- \$35,000.00, \$21,198.00, \$64,300.00; Williston Rural Fire- \$261,693.26; Epping Fire Department- \$76,665.93; Wildrose Fire Department- \$35,544.00; and Ray Fire Department- \$37,987.50. (Copy included in minutes)

Roll call vote: Ramberg-yes, Hanson-yes, and Montgomery-yes. Motion carried.

Beau Anderson arrived at the meeting at 8:03 AM.

Jerry Bergman and Tom Wheeler present today to request a letter of support from the Commission for the Williston Research Extension Center Seed Conditioning Facility to present to the Legislature for funding of their facility, which cleans more pulse crop seeds in the area. Chairman Montgomery stated that he took the time and toured the facility at the research center and it is well worth the time for a tour. Ramberg moved Hanson seconded for Lindsey Harriman, Communications Official to write a letter of support and authorize the Chairman to sign. Roll call vote: Hanson-yes, Montgomery-yes, Anderson-yes, and Ramberg-yes. Motion carried. (Copy included in minutes)

Taylor Dawson, Staff Planner presented Planning/Zoning items.

Conditional use permit for the storage of existing unoccupied workforce housing facility presented for Duane Dudley for Solsten XP Lodging LLC/Fred Martin with no one present. The applicant would like a CUP to allow the temporary storage of existing temporary housing units for 1 year. The applicant has been in the process of selling units and would like to be allowed to store the remainder of the units on site as they continue to sell rather than to have to move them and then sell them. Ramberg moved Hanson seconded to follow the recommendation of Planning/Zoning of approval located on part of NW Section 16 T153 R102 Trenton Township with conditions that the CUP shall expire in six months from the date of approval; the site shall be returned to a condition complaint with the AG district within 90 days of expiration or denial of request; and the units shall not be occupied at any time. Roll call vote: Montgomery- yes, Anderson-yes, Ramberg-yes, and Hanson-yes. Motion carried. (Duane Dudley for Solsten XP Lodging LLC/Fred Martin)

Zone change from residential and agricultural to light industrial and rural residential presented for Bradley Brough with no one present. A memo was sent from Brough requesting that the hearing be tabled until the February 19th meeting due to an injury. Hanson moved Anderson seconded to table until the February 19th meeting located as Sublot 3 in SE Section 22 T154 R103 Round Prairie Township. Roll call vote: Anderson-yes, Ramberg-yes, Hanson-yes, and Montgomery-yes. Motion carried. (Bradley Brough)

Request to update zoning classification to heavy industrial by Planning Division Staff for RGD Trucking Inc. Staff is requesting to re-classify from industrial to heavy industrial. Ramberg moved Hanson seconded to follow the recommendation of Planning Division Staff of approval. Roll call vote: Ramberg-yes, Hanson-yes, Montgomery-yes, and Anderson-yes. Motion carried. (Planning Division Staff)

Dennis Nelson, County Highway Superintendent reminded the Commission that February 5th, after the Commission meeting is the date set for the Annual Operators and Frost Law Meeting scheduled for 10:00 AM in the Commission Room.

Nelson reported that next week starting the 15th he will be meeting with each Township on routes. LoadPass, load limits, and updating of their maps.

Nelson gave a road project update. He has been working on obtaining easements and if the Commissioners can assist him, he would appreciate the help. If 100% of the easements are not obtained the projects along County Roads #9, #42, and #21 will be held up.

Ramberg moved Hanson seconded to appoint Dennis Nelson as the County's delegate for the LoadPass System. Roll call vote: Hanson-yes, Montgomery-yes, Anderson-yes, and Ramberg-yes. Motion carried.

Ed Rintamaki presented a request for a variance of an additional 25' R/O/W easement. The property is within the City of Williston's extra territorial jurisdiction adjacent to County Road #9 (US 85 By-pass). This request is for Solena Senkle. There already is a 50' easement along County Road #9. The owner doesn't feel that the additional 25' is necessary as it will encompass her shelter belt of trees. Chairman Montgomery stated that the additional easement is for future development that may or may not happen. Rachel Laqua, City Planning Department requested that the County review the application. The City can approve, but they held up the approval due to the County request for the additional 25'. There are no plans for the City of Williston to annex this portion of the ETJ. Chairman Montgomery asked about the R/O/W easement requirements for City roads. Laqua stated none as this is a County Road. David Tuan, City Manager stated that he doesn't know. Sam Henderson, Planning/Zoning Official showed on a map that it is approximately 150'. Hanson questioned what has been done in the past? Chairman Montgomery stated that all situations are different and the reason for the request is for the

County's protection for the future if needed. Laqua stated that it can't be recorded until the County Commission makes a decision on the extra easement. Ramberg moved Anderson seconded to stay with the County's Ordinances and deny the variance. Roll call vote: Montgomery-yes, Anderson-yes, Ramberg-yes, and Hanson-yes. Motion carried.

Ramberg moved Hanson seconded approval for Marsha Hughes, NWWAC Director to obtain a debit card for their checking account at American State Bank, but the debit card will not be used for cash withdrawals. Roll call votes: Anderson-yes, Ramberg-yes, Hanson-yes, and Montgomery-yes. Motion carried.

Ryan Stepan presented a proposal for with AVI System Inc. for upgrades to the Commission Room audio system in the amount of \$9,244.92. Ramberg asked if this is the same company who hasn't fixed all that is wrong with the current system. Stepan stated that it was. Chairman Montgomery stated that he has a concern with spending that kind of money and he would like to discuss it with Kemp before a decision is made. Anderson moved Hanson seconded to table any action until the January 22nd meeting. Motion carried.

Ramberg moved Hanson seconded approval of the Western Dakota Energy Association Local Government LoadPass Permits Agreement and authorize the Chairman to sign. Roll call vote: Ramberg-yes, Hanson-yes, Montgomery-yes, and Anderson-yes. Motion carried. (Copy included in minutes)

Hanson moved Anderson seconded the appointment of Ramberg to replace Wayne Aberle as the delegate to the Western Dakota Energy Association. Roll call vote: Hanson-yes, Montgomery-yes, Anderson-yes, and Ramberg-yes. Motion carried.

Karen Prout, Special Assistant States Attorney stated that the Commission needs to appoint a three person Special Assessment Commission that will handle the special assessments for any special assessment project that the Commission decides to make into a special assessment district. Prout stated that we could advertise the position like we do other Board appointments for two weeks and make the decision at the January 22nd meeting. Anderson moved Hanson seconded authorizing for the positions to be advertised. Roll call vote: Montgomery-yes, Anderson-yes, Ramberg-yes, and Hanson-yes. Motion carried.

Hanson moved Anderson seconded approval of Resolution 2019-01-08 Authorizing Participation in Williston Complete Count Committee for the 2020 Census appointing Jim Ryen, Lindsey Harriman, and Ryan Miles representing Williams County. Roll call vote: Ramberg-yes, Anderson-yes, Hanson-yes, and Montgomery-yes. Motion carried. (Copy included in minutes)

Ramberg moved Anderson seconded authorizing the Chairman to sign the 2019 County Federal Aid Program as corrected. Roll call vote: Ramberg-yes, Hanson-yes, Montgomery-yes, and Anderson-yes. Motion carried. (Copy included in minutes)

Ramberg moved Hanson seconded authorizing Harriman to write a letter of support of SB 2020 concerning the funding of the Weather Modification Program and authorizing the Chairman to sign on behalf of the Commission. Roll call vote: Hanson-yes, Montgomery-yes, Anderson-yes, and Ramberg-yes. Motion carried. (Copy included in minutes)

Hanson moved Anderson seconded approval of the two positions for Social Worker/Family Services Specialist and Corrections Officer as presented by Helen Askim, HR Director. Roll call vote: Montgomery-yes, Anderson-yes, Ramberg-yes, and Hanson-yes. Motion carried. (Copy included in minutes)

There being no further business, the meeting recessed at 9:08 AM.