

SEPTEMBER 04, 2018

The Board of Williams County Commissioner met in their regular session at 8:00 A.M. Commissioners Kemp, Ramberg, Aberle, Hanson and Montgomery upon roll call were present. A quorum was declared by Chairman Montgomery and the Commissioners began to conduct their business. Ryan taking minutes in the Auditor's absence.

The following consent agenda items were reviewed and voted upon:

Edman Builders LLC 2018 correction: True & Full was \$711,900, True & Full should be \$568,200 01-661-00-00-01-075 Land was assessed twice.

Edwards, Craig & Dorothy 2018 correction: True & Full was \$224,400, True & Full should be \$166,800 01-661-99-99-95-090 Land was assessed twice.

Secretary of Housing & Urban Development 2018 correction: True & Full was \$311,200, True & Full should be \$77,800 01-269-00-00-07-070 Property was sold to exempt entity.

Secretary of Housing & Urban Development 2018 correction: True & Full was \$288,700, True & Full should be \$133,400 01-288-00-00-01-042 Property was sold to exempt entity.

Expenditure approval listing was presented to the Commissioners for their initials.

It was moved by Aberle seconded by Hanson to go ahead with the consent agenda and approve the items as presented. Roll call vote: Hanson – yes, Ramberg – yes, Kemp – yes, Aberle – yes, Montgomery – yes, motion carried.

Nelson (Highway Director) presented bids for Recycled Asphalt Pavement 18-2-20 for acceptance. Bids were received from: Knife River \$398,750; Alexandria Gravel Products \$386,250; Sundre Sand and Gravel \$762,000. Hanson moved, seconded by Aberle to accept the bid for Recycled Asphalt Pavement from Alexandria Gravel Products for \$386,250. Roll call vote: Ramberg – yes, Aberle – yes, Hanson – yes, Kemp – yes, Montgomery – yes, motion carried.

Henderson (Planning and Zoning) brought a Conditional Use Permit (CUP) LU-0112-18 T153 R98 Section 9 NW ¼ to allow a second dwelling on an Agricultural Parcel on behalf of Forrest Carson. The applicant applied for a building permit that would increase the size of a dwelling. The CUP would allow the expansion of a legal non-conforming use. Aberle moved second by Ramberg to follow the recommendation of the Planning & Zoning Commission and approve the CUP with the conditions set out by the Planning and Zoning Commission. Roll call vote: Ramberg – yes, Aberle – yes, Hanson- yes, Kemp – yes, Montgomery – yes motion carried.

A request for a Condition Use Permit for bulk storage of diesel fuel LU-0130-18 T154 R102 Section 11: W 635.33' of NE ¼ SW ¼ on behalf of Mark Cahoon of Cahoon Enterprises LLC. The tank is in an area that is zoned appropriately for this use. Hanson moved seconded by Kemp to follow the recommendation of the Planning and Zoning Commission and approve the CUP with Cahoon Enterprises LLC with conditions set forth by the P&Z Commission of: 1) Provide State approvals as needed, 2) Removal of the trailers on the property if they are used as dwellings, 3) If the trailers are not being used as dwellings the applicant shall arrange an inspection with Development Services to verify the use of the units and ensure that

they are compliant with the Zoning Ordinance, including the Building Code. Roll call vote: Aberle – yes, Hanson – yes, Kemp – yes, Ramberg – yes, Montgomery – yes motion carried.

A re-subdivision plat of MS16-0077 (SP-0067-18) was presented on behalf of Ed Rintamaki representing Mark Brunelle, owner for final approval. Ramberg moved seconded by Kemp to approve the final plat of MS18-0010, MS18-0011, MS18-0012 a re-subdivision of MS16-0077 situated in the S2NW Sec 34, T154N, R100W 5<sup>th</sup> P.M., Williams County, North Dakota upon successful completion of plan map review on mylar. Roll call vote: Ramberg – yes; Aberle – yes; Hanson – yes; Kemp – yes; Montgomery – yes motion carried.

Anderson (Director of Assessments) met with the Commission to request them to authorize the Chairman to sign the contract between Williams County and the Thomas Y Pickett and Company to do the industrial appraisals in the County. Roll call vote: Kemp – yes; Hanson – yes; Aberle – yes; Ramberg – yes; Montgomery – yes motion carried.

Paryzek (Weed Control Board) met with the Board about weed control within the City of Williston. Weed Control within the city limits and environs needs to be better defined between the County and City as far as the resources of the Weed Board are involved. The City of Williston has doubled in size and green space; thus, time and resources have increased on the City level. Paryzek request that the Board to set up a subcommittee to deal with the issue. Kemp moved seconded by Ramberg to appoint Hanson and Kemp to the subcommittee to meet with the City of Williston. Roll call vote: Ramberg – yes; Aberle – yes; Hanson – yes; Kemp – yes; Montgomery – yes motion carried.

Nelson (Highway Director) brought contracts to the Board for the Chairman's signature. The first one was with Interstate Paving to do culvert work and paving on County 21 to Highway 2 North. Hanson moved seconded by Ramberg to authorize the Chairman to sign the contract. Roll call vote: Aberle – yes; Kemp – yes; Hanson – yes; Ramberg – yes; Montgomery – yes motion carried.

A contract for recycling of asphalt paving was brought to the Board to authorize the Chairman to sign the contract for the County 9 South three mile rebuild and paving. Hanson moved seconded by Aberle to authorize the Chairman to sign the contract. Roll call vote: Hanson – yes; Kemp – yes; Ramberg – yes; Aberle – yes; Montgomery – yes motion carried.

Snellings (Social Services) asked the Board to approve the appointment of Brenda D'Angelo to the Williams County Social Services to fill the unexpired four-year term of Muriel Lippert. Aberle moved seconded by Kemp to appoint Brenda D'Angelo to the Williams County Social Services Board to fill the unexpired four-year term of Muriel Lippert which ends July 31, 2019. Roll call vote: Hanson – yes; Ramberg – yes; Aberle – yes; Kemp – yes; Montgomery - yes motion carried.

Matthew Daniel of the Law Firm of Ferrer Poirot Wansbrough and Matthew McCarley of the Fears Nachawati Law Firm met with the Commissioners to ask them to join in a class action lawsuit. The law suit which is brought against Pharmaceutical companies who manufacture and market opioids that created the opioid problems in America that has hit every community. It has been a public health issue that counties have had to use their own resources because of the misuse of opioids. The lawsuit would allow counties and cities recoup the expenses they have incurred and provide public information and therapies (much like the tobacco settlement). They would have a contingent fee of 25% on the backend or less. Counties in North Dakota that have joined the lawsuit are Cass County, Burleigh County and

Ramsey County. The Commission will speak with their legal department to determine their involvement in such a case.

Askim reported that the Building Committee's recommendation was to initiate an addition and remodel to the space occupied by Social Services including associated parking lot and sidewalk reconstruction. Steinmann conducted the feasibility study as given out as a handout to the Commission. The maximum cost estimate includes some work already completed to assess the suitability of the site for such upgrades (includes soil sampling, structure review and mechanical review). Kemp moved seconded by Ramberg to initiate an addition and remodel to the Social Services including the sidewalks and parking lot not to exceed a maximum cost of \$4,500,000.00. Roll call vote: Kemp – yes; Hanson – yes; Aberle – yes; Ramberg – yes; Montgomery – yes motion carried.

Askim also requested that the Commission to authorize the Chairman to sign a contract with Steinman Facility Development Consultants extending our working relationship to include the Social Services project. Kemp moved seconded by Hanson to authorize the Chairman to sign the contract with Steinmann Facility Development Consultants extending our working relationship to include the Social Services project. Roll call vote: Aberle – yes; Ramberg – yes; Kemp – yes; Hanson – yes; Montgomery – yes motion carried.

Because of our project we will also need to extend our working relationship with JLG Architects. Askim is requesting the Commission to direct Karen Prout (Assistant State's Attorney) and Jim Steinmann to extend our contract with JLG to their satisfaction. Ramberg moved seconded by Kemp to direct Karen Prout and Jim Steinmann to work with JLG Architects to extend our contractual working relationship with them. Roll call vote: Hanson – yes; Ramberg – yes; Aberle – yes; Kemp – yes; Montgomery – yes motion carried.

Askim asked the Board to appoint a Building Committee to be the contact with Steinmann. Hanson moved seconded by Aberle to appoint a Building Committee to be in contact with Steinmann consisting of the following persons: The County Commission, Holly Snelling (Social Services Director), Doug Lalim (County Building) Richard Martin (Facilities Director) and Helen Askim as record keeper. Row call vote: Hanson – yes; Aberle – yes; Ramberg – yes; Kemp – yes; Montgomery – yes motion carried.

Prout met with the Commission to discuss the merits of the Construction Management at Risk (CMAR) delivery system on this project. This system allows for the owner to maintain oversight over the entire project and to work collaboratively construction manager and provides for a guarantee maximum price. Kemp moved seconded by Ramberg to move forward with the Construction Management at Risk (CMAR) delivery system for the Social Services project. Roll call vote: Ramberg – yes; Aberle – yes; Hanson – yes; Kemp – yes; Montgomery – yes motion carried.

Aberle moved seconded by Ramberg to proceed with the CMAR method on the Social Services project because the Commission has determined that 1) it is in the best interest of the public to utilize the CMAR public improvement delivery method, 2) that the CMAR planning and design phase services will not duplicate services normally provided by an architect or engineer, 3) that the CMAR construction services will be in addition to and not duplicate the services provided for in the architect and engineer contracts. Roll call vote: Hanson – yes; Kemp - yes; Aberle – yes; Ramberg – yes; Montgomery – yes motion carried.

Hanson moved seconded by Aberle to appoint a CMAR selection committee as required by the North Dakota Century Code with Montgomery and Kemp to be the Commission representatives on the Board, to meet with the County Administrative Person, ND registered architect, ND registered Engineer, and a licensed contractor. Roll call vote: Aberle – yes; Ramberg – yes; Hanson – yes; Kemp – yes; Montgomery – yes motion carried.

Hanson moved seconded by Ramberg to appoint Richard Martin (County Facilities Director) as the County Administrative Individual, Sally Thoele - North Dakota Registered Architect; Scott Johnston – North Dakota Registered Engineer; Mark Barstad – North Dakota Licensed Contractor. Roll call vote: Kemp – yes; Ramberg – yes; Hanson – yes; Aberle – yes; Montgomery – yes motion carried.

It is desired that their initial work be completed by December 1, 2018.

Askim reminded the Commission that they need to appoint a North Dakota Association of Counties delegate. Aberle moved seconded by Kemp to appoint Patti Ogurchak as delegate to the North Dakota Association of Counties. Roll call vote: Ramberg – yes; Kemp – yes; Aberle – yes; Hanson – yes; Montgomery - yes motion carried.

The Commission adjourned at 9:28 A.M.