

The Board of County Commissioners met in regular session on Thursday, April 17, 2014 at 1:00 pm.

Chairman Troy Olson opened the meeting and asked everyone to stand for the Pledge of Allegiance.

Chairman Troy Olson took roll call and present were Commissioners Shawn Steffen, Ron Dahl, John Wakefield, Dale Pedersen and Troy Olson. Also present were Treasurer Connie Eslinger, Sheriff/DES Coordinator Robert Hook, Deputy Sheriffs Justin Wallerich and Wesley Straight, Clerk of Court/Recorder Kelly Vincent, John Eickhof & Jon Steen from Construction Engineers, Subcontractor Allen Olson, Gabe Maliske from Ultig Engineers, Griggs County Extension Jill Haakenson, NDSU Extension District Director Lynette Flage, ITD Travis Palm, Social Service EWII Tammy Geiger, Social Service EW Janice Johnson, State’s Attorney Jayme Tenneson and Citizens Emily Wigen, Todd Edland, Jim and Jan Tenneson, Diane Cowdrey, Scott Tranby, Orville Tranby and LeRoy Eggermont.

Chairman Troy Olson opened discussion on the presented agenda. Treasurer Connie Eslinger requested that State’s Attorney Jayme Tenneson’s visit to the State Auditor’s Office be added to the agenda and it will be addressed under the agenda for State’s Attorney. Motion by John Wakefield to approve the agenda as presented, second by Shawn Steffen and called for discussion three times with all ayes, no nays and carried.

Chairman Troy Olson opened the floor for discussion on April 4, 9 and 9, 2014 minutes. Motion by Shawn Steffen to dispense with the reading of the minutes and approve April 4, 9 & 9, 2014 minutes as presented, second by Ron Dahl and called three times for discussion with all ayes, no nays and carried.

Chairman Troy Olson opened the floor on discussion on presented bills. Motion by John Wakefield to approve the following bills, second by Dale Pedersen and called three times for discussion with roll call vote: Shawn Steffen-aye, Ron Dahl-aye, John Wakefield-aye, Dale Pedersen-aye, Troy Olson-aye and carried.

6225-6260	Payroll	34,443.98
18001	Griggs County	17,093.35
18002	Almklov’s Pharmacy	9.13
18003	Ameripride Services	60.43
18004	Bank of The West	100.00
18005	Citizens State Bank	12,097.39
18006	Griggs County-Job Service	701.78
18007	Griggs County Courier	40.00
18008	John Deere Credit	72,522.30
18009	Kadrmass, Lee & Jackson, PC	10,703.29
18010	McLean County Recorder	100.00
18011	Millers Fresh Foods	26.59
18012	New Century Press	329.67
18013	Ottertail Power Company	52.47
18014	St Alexius	250.00
18015	US Postal Service	1,000.00

Chairman Troy Olson opened the floor to R/COC Kelly Vincent on the Funding Agreement for Clerk of District Court Services. There was discussion on whether there is a provision to request more money for services presented since Griggs County has a full time employee; have State’s Attorney to write a letter to State Court Administrator Sally Holewa; state should cover cost of Clerk of Court services; test that is done does not take into account all services done in Clerk of Court Office; each county is different; is not a perfect system; agreement states it covers all Clerk of Court Services; agreement either needs to be adjusted or at budget time the state is only funding for half time employee; agreement not due until June 1st; need more than a half time employee; taxpayers should not have to pay for something that is covered by the state; SA Jayme Tenneson will

talk to someone on the agreement; amount has decreased since last agreement; and time allotment is the same but dollar amount different. Motion by John Wakefield to table Funding Agreement for Clerk of District Court Services until the next meeting, second by Dale Pedersen and called three times for discussion with all ayes, no nays and carried.

Chairman Troy Olson opened the floor for discussion on abatement of taxes for City of Cooperstown. Motion by John Wakefield to approve abating taxes for years 2011, 2012 and 2013 on parcel #21-4001-04882-010 in the amount of \$3,205.18 since property should have been exempt, second by Shawn Steffen and called three times for discussion with roll call vote: Shawn Steffen-aye, Ron Dahl-aye, John Wakefield-aye, Dale Pedersen-aye, Troy Olson-aye and carried.

Chairman Troy Olson opened the floor to John Eickhof & Jon Steen from Construction Engineers. John Eickhof from Construction Engineers talked to the Commission on questions about the quality of concrete slab and did some further investigation and to present that data. It does not seem that the Commission has had problems with it but someone has looked at one particular test report that says that there is a six inch slump and then judged that the slab is defective so that is what he is going to talk about. There are probably five different parameters, maybe ten, to judge strength of concrete and judging of the slump is one of them. (A slide show presentation was started.) It is going to get a little bit technical but not too technical. When you are proposing to pour concrete you develop a mix design and mix design was 3500 psi, three to five inch slump, water/cement ratio .45 (weight of the water divided by the cement) and that is how you judge the mix. They submitted the mix design to the Architects and they reviewed it and they did not request any changes so it was figured as accepted by them for Construction Engineers to continue. Previous questions on bleeding had come up. CE had core drill test sample on cement done; petrographic examination to document the composition of the core to evaluate the quality was done; cement core test with 25-page report by Braun Intertec Corporation; conclusion: concrete represented by the core sample is in good physical condition and is generally consistent with concrete prescribed by the approved mix design. The slab received a hard trowel finish resulting in a generally hard, dense and durable wearing surface, signed by Ronald D Sterum a Senior Petrographer for Braun Intertec Cooperation out of Fargo, ND. There was a picture of a core sample they took presented. It is consistent with a well-hydrated, moderately water/cement ratio concrete mix. Another test stains a cross-section and does not stain the top surface which tells you the sample is ok. CE had told the Commission they would not put flooring down until the concrete slab was acceptable to all. CE wanted to make sure the Commission felt there was a good product out there. Commissioner Ron Dahl wanted to make sure this information gets to the architect and the structural engineer and asked for it to be sent to them. CE said they would send anything requested if it was paid for; this was about a \$3000 test and they want to be compensated if it is sent to others. Commissioner Troy Olson also mentioned the potential issue of shrinking; cracking that he had observed when walking through the building was mentioned. He mentioned the crack in the courtroom being quite wide. CE John Eickhof will give some consideration to sharing the concrete testing information with the architect. The concrete and building has a one year warranty.

John Eickhof of Construction Engineers also brought up what will happen as of Friday, April 18. Because of the contractual obligation and until something is worked out for payment, the job site will shut down. Commissioner John Wakefield went through the timeline of three different votes that were turned down and the previous Commissioners formed a Building Authority and were able to levy \$2.2 million worth of taxes to finance the building of the new Courthouse along with a grant that had been applied for. At that point, the Building Authority signed a lease agreement with the County which stated that the BA would issue revenue bonds to finance the construction and equipping of a courthouse and to pay the cost of issuance in connection with the issuance and sale of the bonds. So the County has a contract with the Building Authority to finance and build this facility. The fact that the County signed a contract with Construction Engineers for the \$2.9 million is at direct odds to the contract with the BA, because of course the County cannot obligate the citizens to money that the citizens have not already agreed to be obligated. So the County has no funding in place to back up the \$2.9 million and the grant is incidental to this and is not tied to the Building Authority. The grant was applied for when this was a public project, but when the project became private, there are all kinds of

problems to get public money into the private project. After the money from the bond has been spent, there are no funds for the project. John Eickhof's response was that CE has been more than willing to help with getting the grant in place, but they have contractors that need to be paid. If the company has to leave and return, that will cost the county more. He doesn't know what the solution is, but wanted to let the Commission know what was going on with CE and he is sorry that it has to work this way. Commissioners stated that it will take a vote of the people to fulfill the obligation to the contract if the grant does not come through.

Chairman Troy Olson opened the floor for discussion on Tax Director Position with Emily Wigen who was Tax Director in Steele County. Emily Wigen is willing to work two to three days a week but she has personal issues and she is running for Auditor in Steele County. Chairman Troy Olson asked Emily Wigen if she thought that the Tax Director position was a part time job and she said it was about three quarters over in Steele County since she assessed some townships as part of her job and that the Tax Director's busy time was from December through June. Commissioner John Wakefield wanted to know what her preference for a schedule would be if she took the job and she said she would like to work Monday through Wednesday and other days if needed but she needed to get to know what the County needs done and figure out the different programs that Griggs has. Emily Wigen knows Ryan from Vanguard and can work with him on that part of the tax program and stated that Barbara Anderson was very good at keeping on top of everything. There was discussion on salary, time needed to get job done, what is budgeted and meet at next Commission meeting. Motion by John Wakefield to allow Emily Wigen a couple weeks to make a salary proposal, second by Ron Dahl and called three times for discussion with roll call vote: Shawn Steffen-aye, Ron Dahl-aye, John Wakefield-aye, Dale Pedersen-aye, Troy Olson-aye and carried. Chairman Troy Olson thanked Emily Wigen for attending the meeting.

Motion by John Wakefield to take a ten minute recess, second by Shawn Steffen and carried with all ayes, no nays.

Chairman Troy Olson reconvened the meeting at 2:15 pm and opened the floor to ITD Travis Palm. ITD Travis Palm explained that a fiber optic link is internet connection between the courthouse and social services and it needs to be registered at North Dakota One Call. ITD Travis Palm let the Commission know of different options on locating the fiber optic cable, hire someone to locate the cable, buy a new or used locating wand with training, Ernst Trenching installed the cable, cost on registration of the cable, wireless link needs to be routed to the Road department with them having an old system that needs to be replaced, VPN not fast enough, county is not computer terminal services, if everyone under one roof could solve some problems, county on the state's system, county not to buy a locater, the county has three servers, and there was more discussion on computer terminal services for the county. Motion by Ron Dahl to have ITD Travis Palm get a map and register that cable at North Dakota One Call and hire someone to locate that cable, second by John Wakefield with discussion called three times and on roll call vote: Shawn Steffen-aye, Ron Dahl-aye, John Wakefield-aye, Dale Pedersen-aye, Troy Olson-aye and carried.

ITD Travis Palm reviewed with the Commission what is needed for the Veterans Service Office with equipment, share with Steele County and it was decided to do at budget time.

ITD Travis Palm reviewed with the Commission about the vulnerability with Microsoft operating system and he needs to change passwords, update encryption keys and his cost on getting this done. Motion by John Wakefield to authorize ITD Travis Palm to change the passwords, update SSL certificates and keep it within four hours, second by Shawn Steffen with discussion called three times and roll call vote: Shawn Steffen-aye, John Wakefield-aye, Ron Dahl-aye, Dale Pedersen-aye, Troy Olson-aye and carried.

ITD Travis Palm let the Commission know that two Computers that are on Windows XP need to be updated with cost on new operating systems and his time of four to six hours with Windows 8 not an option at this time. Motion by Ron Dahl to allow ITD Travis Palm to update the two computers, second by Dale Pedersen with discussion called three times and roll call vote: Shawn Steffen-aye, Ron Dahl-aye, John Wakefield-aye, Dale Pedersen-aye, Troy Olson-aye and carried.

Chairman Troy Olson opened the floor to S/DESC Robert Hook on grant documentation for new radar equipment. There was discussion on alcohol testing, regional correction budget, is there extra costs that are not covered by grant and money has to be spent by June 30. Motion by John Wakefield to authorize Chairman Troy Olson to sign the grant request on radar equipment presented by S/DESC Robert Hook, second by Dale Pedersen with discussion called three times and roll call vote: Shawn Steffen-aye, Ron Dahl-aye, John Wakefield-aye, Dale Pedersen-aye, Troy Olson-aye and carried. There was discussion on DES courthouse grant application and there was nothing at this time.

Chairman Troy Olson opened the floor to Gabe Maliske from Ultig Engineers of Fargo. His company wants to get back to their roots and begin helping counties with any engineering needs for federal work or they have a landscape architect on staff. They would help with 5-year future plans for roads or any other county projects. Chairman Troy Olson mentioned that the Commission leans heavily on the road superintendent and Mr. Maliske might want to talk to Wayne Oien about these issues.

Chairman Troy Olson asked SA Jayme Tenneson to discuss the issues he wanted brought up. The first issue was his retirement. NDPERS had told Auditor Cindy Anton that both counties could not contribute to his retirement plan. The other issue was the letters from the Building Authority. He also mentioned that he has a new secretary who is not a notary. He asked that the County pay for her to become a notary. Commissioner John Wakefield said he was sure there was money in the State's Attorney's budget for this. SA Jayme Tenneson also brought up that he and Ron Dahl had been accused of doing County business secretly and he admitted that he had gone out to the State Auditor's office that morning and visited with State Auditor Bob Peterson and this was not a secret and emails between SA Jayme Tenneson and Ron Dahl had accidentally gone out to the entire County. SA Jayme Tenneson said that he is not satisfied with Harold Rotunda's audit and not satisfied that all of SA Jayme Tenneson's questions about financial matters have been answered fully. Sheriff Robert Hook made an open records request this morning of the State Auditor's office and accused Ron Dahl and SA Jayme Tenneson of doing business outside of the scope of their employment and SA Jayme Tenneson was unaware that conversation with one County Commissioner was doing County business. SA Jayme Tenneson does not have to ask Sheriff Robert Hook to do anything and feels the entire situation is ridiculous. The concern about the audit raises many red flags for SA Jayme Tenneson and he feels a better audit than Harold Rotunda's should be done. Commissioner John Wakefield wanted clarification on whether the Commission was involved in this allegation. He referred to N.D.C.C. 11.16.01 on the duties of the State's Attorney. Commissioner Ron Dahl has every right to consult with the State's Attorney on his duties. Sheriff Robert Hook asked to address the issue and stated that he was asked to look into this situation. He handed out copies of the emails previously mentioned and stated that the investigation had nothing to do with audits, only the Open Record laws. This issue is between the Sheriff and the State's Attorney to deal with.

Chairman Troy Olson opened the floor for discussion on new courthouse about office relocations. Commissioner Ron Dahl had started the discussion with ideas about relocating different offices and he stressed that the suggested changes were only his idea and wanted to get the discussion started. Extension Agent Jill Haakenson asked to speak to the suggested changes and her email regarding the changes. She explained that her office plan is not a grandiose plan, but rather necessary space for her department employees and the activities involved in Extension. Questions were asked of several department heads about the amount of space each office required. Issues about storage space, confidentiality, ingress & egress with office equipment and Extension program tools, and moving the public when they come in to see one of the officials. Treasurer Connie Eslinger asked if the department heads could meet with or without Commissioners present and come up with some proposals for the relocation. They agreed that would work.

Chairman Troy Olson opened the floor for discussion on existing courthouse. There was a response from Debbie LaCombe of DES to Commissioner Ron Dahl and she made it clear that demolishing the existing courthouse would require the County to repay every penny of the EOC Grant. The process to follow to demolish the old courthouse would be to ask the ND Historical Society to rescind their previous letter requiring maintenance of the existing courthouse and requiring that it not be demolished and send that letter to NDDES,

who would forward a request to FEMA to reevaluate the environmental and historic preservation requirements. Commissioner Troy Olson read aloud the emails presented. Commissioner Ron Dahl also brought up the previous motion regarding mold testing and they have not been done yet.

Chairman Troy Olson opened the floor for discussion on the St Alexius Quarterly Report. It is an employee assistance program that is paid for quarterly. The report was reviewed.

Commissioner John Wakefield asked the Social Service employees that were present a question about the confidentiality requirements and the spaces involved in the new courthouse. Tammy Geiger answered that with some walls added, the suggested space would work for them.

Motion by Shawn Steffen to adjourn meeting at 3:43 pm and meet again in regular session on Friday, May 2, 2014 at 1 pm, second by Ron Dahl and called three times for discussion with all ayes, no nays and carried.

ATTEST: Cynthia M. Anton
Auditor

Troy Olson
Chairman