

Divide County Commission Minutes

March 22, 2023

March 22, 2023 The Board of Divide County Commissioners met in regular session on Wednesday, March 22, 2023, with all members present. Chairman Johnson presiding. Brad Nygaard, Journalist, was also in attendance.

Minutes from March 2 and 15, meeting was read and approved with one correction.

Correspondence was reviewed and placed on file.

Fees collected for the month of February 2023, deposited into the General Fund, and reports placed on file are as follows: Christina Running Recorder-\$5663.20 and Zachary Schroeder-Sheriff-\$322.00.

Jody Gunlock, 911/Zoning/DES Director, met with the board to incorporate a yearly burn ban. Motion was made by Commissioner Jacobs seconded by Commissioner Eriksmoen to adopt this burn ban. All present voted in favor. Copy is on file in the auditor's office.

Mr. Gunlock mentioned that the budgeted plotter for \$1,000.00 but is not the right one. The one he needs is over \$2,600.00 plus \$535.00 to install to the network and \$768.00 for maintenance. Mr. Gunlock mentioned that the money could be taken out of the hazardous chemicals fund. Commissioner Jacobs asked about radios coming out of this fund for the local fire departments. Mr. Gunlock mentioned that he plans on a LEPC meeting April 4, 2023, to discuss the radios. Board asked Mr. Gunlock if he could find a grant for the plotter. Mr. Gunlock will check.

Liz Pendlay & Kent Melby met with the board. Also in attendance was Seymour Jordan, States Attorney, Ms. Pendlay mentioned that she would like to discuss an abatement or compromise for Kent Melby's parcel 34-0000-75670-000 Crosby City Westlawn 2nd L01 ex E70', L02 ex E70' Blk 1. Mr. Melby paid \$5100.00 for tax foreclosed property of which \$642.24 were taxes. However, the next year's tax statement had an additional amount of \$7,600.00 which she was unable to get an answer from the city so acquired copies from the county auditor. Records showed that Crosby City had assessed to the property for the 2019 home demolition assessments. Since this is not taxes an abatement could not be requested, this is a special assessment. Ms. Pendlay sited

section NDCC 57-23-07 an asked for a compromise, because she and her client feel this was unfair. Mr. Jordan mentioned that the county does not have the authority to compromise since it is a Crosby City assessment. Ms. Pendlay mentioned that her client Kent Melby was unaware of this special. Mr. Jordan mentioned that \$7000.00 of this assessment went to Melby's for tearing the house down and the other part was the share of the asbestos abatement. Mr. Jordan mentioned that once the county auditor starts foreclosure it goes through the process. Commissioner Eriksmoen mentioned that the county can not be responsible for what the city assesses and that it is just a pass through-the auditor puts it on, collects it and pays it to the city. Ms. Pendlay mentioned again that it was unfair and lack of notice. Mr. Jordan mentioned that when the county sells the property it is as is-no guarantees. Commissioner Eriksmoen mentioned that this is city special and doesn't know what the county can do. Ms. Pendlay mentioned that you need to help or support this taxpayer. Auditor Jastrzebski mentioned that Mr. Melby is not the only one on the list certified for Home Demolition Assessments. Commissioner Eriksmoen mentioned by tearing the house down it improved the property. Mr. Jordan mentioned that these assessments come from the city and the county auditor just put's them on the taxes by what is certified and that Ms. Pendlay needs to contact Crosby City. Ms. Pendlay asked that the board tabled this action so her and her client could go to Crosby City. Board agreed to do that.

Carolyn Probst, Northwest Judicial & Judge Schmidt & Chrissy Running, Clerk of Court, met with the board to discuss the retirement of Judge Paul Jacobson and are asking for letter of support to fill this vacancy. She further mentioned that by case load numbers they are .87 over for judges, but they feel that this position is still. Motion was made by Commissioner Jacobs, seconded by Commissioner Eriksmoen to do a letter of support. All present voted in favor.

Bryan Haugenoe, Road Superintendent, met with the board to update road rate schedule.

Jason Mayfield, Wold Engineering, met with the board to inform them that the quote he got from

Bechtold Paving was extremely high. Board agreed they would have to wait to do County Road 3.

Board asked Mr. Mayfield about bridge on County Road 4. Mr. Mayfield mentioned that he was given a couple of options-small epoxy fix, because of the rebar and section that is loose but Mr. Mayfield wants a guarantee from the state if it is fixed this way that it would pass the next inspection or put in a box culvert. Commissioner Jacobs asked how much. Mr. Mayfield mentioned \$100,000.00 for the epoxy fix and \$1,000,000.00 to \$1,200,000.00 for the box culvert. This is a federal 80/20% share. Mr. Mayfield mentioned that there is a grant program for bridges and the county should put together a list and submit.

Mr. Haugenoe mentioned that Mr. Fuchs asked the road department to remove the signs on the bridges. Board questioned this. Mr. Haugenoe mentioned that he will forward the email.

Mr. Haugenoe asked if an agreement could be done for range line when work is done between 2 townships and they split the cost. Board contacted Mr. Jordan, States Attorney, to prepare this.

Mr. Haugenoe presented a walk/roll/packer with estimate cost of \$27815.00 for 1, \$81,095.00 for 3, and \$108,010.00 for 4. Mr. Haugenoe mentioned that it doesn't have to be purchased this year. Chairman Johnson mentioned that he has presented this for a few years. Board tabled this.

Mr. Haugenoe mentioned that they have a few dirt crew projects:Nesje hill, trail for Border/Upland Township.

Board reviewed the letter from TCEDA asking for letter of support for local, state, and federal funding. Motion was made by Commissioner Eriksmoen, seconded by Commissioner Jacobs, to do a letter of support. All present voted in favor.

Board reviewed the letter from Bureau of Land Management.

Board discussed keeping Lauren Throntveit on for maintenance of the courthouse. Motion was made by Commissioner Jacobs, seconded by Commissioner Eriksmoen to approve a contract for April, May, June in the amount of \$900.00 per month. All present voted in favor.

The following bills on motion made and approved were placed in

line for payment	
Amazon	678.07
Aramark	453.20
ATT Mobility	571.16
Brad Johnson Insurance	99.00
Wilbur Beverly Casteel.....	1,780.39
Cenex Fleet Fueling	156.25
Crosby City	353.55
Crosby Building Supply.....	75.03
Dakota Diesel.....	114.64
Divide County Fair Assn. 14,400.00	
Divide County Treasurer.....	148.93
Ross Eriksmoen	318.33
First State Bank And Trust 2,599.80	
First State Bank And Trust.....	27.95
Fortuna Senior Citizens.....	1,802.54
Farmers Union	
Oil Company.....	2,746.68
Guided Readers Inc.....	266.16
Jacobs Hardware Hank	401.96
HA Thompson Sons	3,075.00
Interstate Power	
Systems Inc	7,706.22
Intrado	
Interactive Services.....	1,378.12
Information	
Technology Dept.....	1,310.40
Isaac Jacobs.....	284.27
Jasons Super Foods.....	156.62
Jerry's Transfer Service.....	270.00
Journal Publishing Inc.....	988.12
Kimball Midwest	244.18
Linde Gas Equipment Inc	68.40
KayCee Lindsey.....	678.85
Marco Technologies Llc.....	163.98
Mcmaster Carr	737.34
Montana Dakota Utilities ..	14,978.28
Micromarketing.....	323.30
Mid States Organized Crime....	100.00
NAPA	1,397.84
National Archery	
In The School	1,616.00
ND Attorney General	140.00
New Century Ag	2,254.89
Northwest	
Communications Coop.....	1,651.29
Northwest Narcotics	
Task Force	20,000.00
NDACO Resources Group.....	60.00
Northwest Septic Service.....	250.00
Petty Cash Recorder.....	168.03
Quill	481.39
Red Rock Ford.....	54.66
Rose Deep Cleaning.....	7,000.00
RTC Networks	237.60
Sheridan Electric Coop Inc ..	171.39
SIDWEL.....	900.00
T And T Transport.....	190.00
The Depot LLC.....	116.25
Lauren Throntveit	1,500.00
Tractor And Equipment	
Company.....	2,265.30
Transunion Risk	
AN Alternative.....	110.00
Jamie Vandal.....	1,891.75

Vision West	1,000.00
Vocella Inc.....	510.00
Williams County	889.61
Williams County Sheriff ...	5,925.00
Williston Auto.....	39.64
Grafix Shoppe	889.53
Total	\$111,166.89

There being no further business, the meeting adjourned at 2:00 p.m. to reconvene March 24, 2023.

Gayle Jastrzebski
County Auditor
Rodney Johnson, Chairman,
Board Divide County
Commissioner

March 24, 2023

The Board of Divide County Commissioners met in special session on Friday March 24, 2023, with all members present, Chairman Johnson presiding. Also in attendance was Bryan Haugenoe, Road Superintendent, Sonny Radenic, Road Foreman Juli Espinoza, and Makayla Westgard, Road Administrative Assistant, and Brad Nygaard, Journalist.

The following township officers were present at the annual road meeting: David Myers-Robert Bublitz-William Ness-Ambrose, -Justin Rindel-Blooming Valley,-Greg Hasselstrom-Burg, Tom Dhuyvetter, Derik Pulvermacher-Coalfield, Wayne Christianson-Dewitt, Andrew Drawbond-Elkhorn, Lynn Jacobson & John Nystuen-Frederick, Jason Bakewell-Gooseneck, Gerald Gillund-, Wayne Vatne-Hayland, Gary Gilbertson-Lincoln Valley, Mark Knudson-Long Creek, Jody Gunlock-Mentor, Paul Burtman-Palmer, Ellis Berg, Bob Bendixson, -Sioux Trail, -Brian Swanson, Wayne Pulvermacher -Twin Butte, Gerald Herman-Jim Reistad-Westby.

Chairman Johnson welcomed the township officers and did introductions. Chairman Johnson went over the new road rates and that they had to go up because of increased fuel and maintenance costs. Chairman Johnson mentioned that dust control at Individual Cost of road if on a township road will be Individual Pays 1/2 Cost of Dust Control if on a Township Road and Individual Pays 1/4 Cost of Dust Control if on a County. Chairman Johnson next presented the Range Road Contract and the reason for incorporating it because the county has had some issues with townships not agreeing. Chairman Johnson mentioned this way both townships have to sign off before the work is done like gravel-

ing, maintenance, or snow removal. Chairman Johnson mentioned that the townships will need one for each township and they can be annual, perpetual, or per event. This is up to each township. Lynn Jacobson questioned the snow removal. Mr. Haugenoe mentioned that once the contract is in place it will be on going. Ellis Berg asked about oil impact. Chairman Johnson mentioned that the funding is going down and that is why the county hasn't done road projects. Mark Knudson asked about blading the road the same way. He further clarified that there becomes a ridge with railroad track and the other side is a divot and that it should be done both ways. Commissioner Eriksmoen mentioned he understands and that this can be corrected. Mark Knudson asked why all the bridge signs were taken down red flags were put up. Mr. Haugenoe mentioned that he got an email from the state with this instruction, but he is checking on it to get more clarification and that the red flags are for the poles until he knows whether to take them down or put the signs back up. Mark Knudson asked about the installation of signs. Mr. Haugenoe mentioned that they need to be marked on a map with the location. Wayne Christianson asked about County Road 7 and if anything can be done with the bump. Mr. Haugenoe mentioned that we can only fix what is in the county right of way not the state. Commissioner Eriksmoen mentioned that maybe the county can contact the state. Wayne Christianson and Jason Bakewell questioned the amount of gravel that was put on range road between the two townships. Mr. Haugenoe went to get last years maps. Commissioner Eriksmoen mentioned that the county wants to make it right. Wayne Christianson and Jason Bakewell mentioned that they have agreed to the work that has been done.

Township Officers had their annual township officers meeting.

The Board met individually with the Townships in their committees to plan the work for the summer months in the road department.

There being no further business, the meeting adjourned at 11:30 a.m. to reconvene on April 4, 2023.

Gayle Jastrzebski
County Auditor
Rodney Johnson, Chairman,
Board Divide County
Commissioner

NOTICE TO CREDITORS

Probate No. 12-2023-PR-00026
IN THE DISTRICT COURT,
OF DIVIDE COUNTY,
STATE OF NORTH DAKOTA
In the Matter of the Estate of
Patricia C. Brazelton
Deceased.

NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN That the undersigned has been appointed Personal Representative of the above estate. All persons having claims against the said deceased are required to present their claims within three months after the date of the first publication of this notice or

said claims will be forever barred. Claims must either be presented to James Joseph Bushner, Personal Representative of the estate of Patricia C. Brazelton, at P.O. Box 1173, Dickinson, North Dakota 58602-1173, or filed with the Court.

Dated this 20th day of March, 2023.
Personal Representative
/s/ James Joseph Bushner
James Joseph Bushner
Kubik, Bogner, Ridl & Selinger
P.O. Box 1173
Dickinson, North Dakota 58602-1173
Attorneys for Personal Representative

NOTICE CALL FOR BIDS

The City of Crosby call for bids
The City of Crosby, Divide County, North Dakota will accept sealed bids until 5:00 p.m., Monday May 1st, 2023 for mowing and maintenance at the Crosby City/Concordia Lutheran Cemeteries. (just the east side.)

Bids are to be on a total cost for mowing per single time and an hourly labor cost for general maintenance. Bids are also to include an hourly cost for labor and equipment for trimming and tilling.

Bids are to be in a sealed opaque envelope and marked "Bids for Cemetery Mowing/Maintenance".

Further information available at the Crosby City Auditor's Office.

The Council reserves the right to accept or reject any and/or all bids or portions of bid.

By Order of the City Council
City of Crosby
Alexa Kruger, Auditor

Notice of Annual Meeting of Alexandria Township

Notice is hereby given that on **Thursday, April 13, 2023**, there will be an annual meeting for Alexandria Township.

The meeting will be held at the home of Warren Aaberg residence at **2 p.m.**

Signed by the clerk

ABBREVIATED NOTICE OF INTENT TO AMEND ADMINISTRATIVE RULES

RELATING TO ORGANIZATION AND FUNCTION OF THE OFFICE OF MANAGEMENT AND BUDGET, ORGANIZATION OF HUMAN RESOURCE MANAGEMENT SERVICES, INFORMATION REQUESTS, PAY GRADE REVIEW AND EXCEPTION PROCESS, WORKING AND INCLEMENT WEATHER CONDITIONS, ANNUAL LEAVE AND APPEALS OF EMPLOYER ACTIONS

ND Human Resource Management Services (HRMS)

in cooperation with the State Personnel Board

will hold a public hearing to address proposed changes to the N.D. Admin. Code Article 4-01 and 4-07.

**Red River Room
ND State Capitol
600 E. Boulevard Ae.
Bismarck, ND 58505
Thurs., May 18, 2023
9:00 a.m.**

The proposed rules may be reviewed at the office of ND Human Resource Management Services, 600 East Boulevard Avenue, Dept. 113, Bismarck ND 58505-0120, or on the HRMS website <https://www.omb.nd.gov/news/public-hearing-proposed-amendments-nd-administrative-code>. A copy of the proposed rules may be requested by writing the above address, e-mailing HRMS@nd.gov, or calling (701)328-3293. Also, written comments may be submitted to the above address until May 29, 2023. If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact ND Human Resource Management Services at the above telephone number or email at least 7 days prior to the public hearing.

Dated this 5th day of April, 2023.
/s/ Molly Herrington
Interim Chief People Officer, Human Resource Management Services

WRITING ROCK TOWNSHIP Equalization Meeting

**Monday, April 24
2 p.m.**

Fortuna Senior
Citizens Center

GOOSENECK TOWNSHIP Equalization Meeting

**Monday, April 24
2:30 p.m.**

Fortuna Senior
Citizens Center

SMOKY BUTTE TOWNSHIP Equalization Meeting

**Monday, April 24
10 a.m.**

Horizon Resources Zahl Elevator
~ Clerk

Notice of Annual Meeting of Garnet Township

Notice is hereby given that on **Thursday, April 13, 2023 at 6:30 p.m.** there will be an annual meeting for Garnet Township, at the Alamo Fire Hall, due to lack of quorum at the March 21, meeting.

~ Jeff Byman, Clerk

Hazel Township Tax Equalization Meeting

Notice is hereby given that the annual tax equalization meeting for Hazel Township will be **Thursday, April 13th, 2023 at 5:30 p.m.**
at the Wildrose Fire Hall

Kory Olson, Clerk-Treasurer

NORTHWEST WATER USERS ASSOCIATION

Will hold their annual meeting
Tuesday, April 18th at 9:30 a.m.
at the Ambrose City Hall.

Dues and other business will be discussed.

GARNET TOWNSHIP Equalization Meeting

**Monday, April 24, 2023
6:30 p.m..**

Alamo Fire Hall

Notice of Tax Equalization Meeting

Fertile Valley Township
**Monday, April 24
10:30 a.m.**

Horizon Resources Zahl Elevator
~ Clerk

Notice of Tax Equalization Meeting

Sioux Trail Township
**Monday, April 24
11 a.m.**

Horizon Resources Zahl Elevator
~ Clerk

FORTUNA CITY TOWNSHIP Equalization Meeting

**Monday, April 24
1:30 p.m.**

Fortuna Senior Citizens Center