

PROCEEDINGS OF THE BOARD OF WALSH COUNTY COMMISSIONERS
July 5, 2023

July 5, 2023 – 9:00 a.m.

Members present: Chairman Skorheim, Commissioners Anderson, Barta, and Brintnell
Members absent: Suda

At 9:00 a.m. the Pledge of Allegiance was recited.

The meeting was called to order and bills were reviewed.

Commissioner Anderson moved to approve the June 20, 2023 minutes and monthly bills, seconded by Brintnell. Motion approved

Thomas McCann came before the board to present an application for a beer license for the Walsh County Gun Club. With this being a new liquor license, Mr. McCann explained that the club's intentions are to serve alcohol to their members, in the clubhouse, afterwards to go along with their meal. He explained that it would be very similar to how the golf courses offer their members alcohol after league. Commissioner Brintnell asked for clarification on what types of alcohol would be served and Mr. McCann stated it would be a beer-only license. Commissioner Barta questioned if they would be ensuring that minors would not be served and Mr. McCann confirmed that they would be following all of the liquor laws. **Commissioner Barta made a motion to approve the beer license for Walsh County Gun Club, seconded by Commissioner Brintnell. Motion carried.**

A discussion was then had regarding the upcoming preliminary budget meetings that are scheduled for July 17, 2023 and after the Commissioners Meeting on July 18, 2023. Auditor Quibell informed the board that she would distribute the finalized meeting schedule. The estimated mill value of \$64,274.26, which was what some of the department heads were waiting on.

Lesley Lubenow, East District Director - NDSU Extension, and Katie Thompson, Interim Department Head - NDSU Extension Office Walsh County then joined the meeting to discuss Katie Thompson being named County Coordinator/Department Head of the NDSU Extension Office for Walsh County for at least the mid-term future (3 to 5 years). Lesley stated that they are still trying to fill the vacancy but have not had any qualified applicants. They will be reposting the position again in hopes that it will refresh the posting on all third-party sites. Lesley provided the commissioners with supporting documentation in regards to the relationship between the county and the extension office. At the previous meeting, the commissioners made a motion to approve the title of interim Department Head of the NDSU Extension Office to allow her use of the credit card for office supplies. **Commissioner Anderson made a motion to name Katie Thompson as the Department Head, seconded by Commissioner Barta. Motion carried.** Commissioner Brintnell stated that at the previous

meeting the commissioners were unaware that they had the authority to declare a department head for the NDSU Extension office and that was the sole reason for declaring her as interim.

Commissioner Brintnell informed the board that Kris Molde is willing to assist in training Auditor Quibell. Kris Molde has been in a few times to offer her support and after Auditor Quibell and Commissioner Brintnell visited about it, they both felt that any hands-on training that Kris Molde is willing to give would greatly benefit in the transition. Commissioner Brintnell informed the board that she had been in contact with Kris Molde and she is willing to invest up to 8 hours a week, as her schedule allows. Commissioner Brintnell asked the board for their support to allow Kris Molde to return, at the rate that she left at, for up to 8 hours per week. Commissioner Brintnell asked that this was retroactive so Kris is compensated for the time she has already worked with Auditor Quibell. **Commissioner Brintnell made a motion to bring Kris Molde back at the rate of pay that she was previously getting and allowing it to be retroactive, seconded by Commissioner Anderson. Motion carried.**

Jason Johnston, Highway Superintendent, appeared for the following:

- Jason gave an update on the current projects. He informed the board the chip sealing process on the 14-mile section on County # 19 is complete and all that was left was to remove the traffic signs. He stated that the project took 24 hours to complete. Jason said that chip sealing should be done every seven years. He informed the commissioners that this will be the first section that is crack sealed next year.
- Jason then presented the board with the Miscellaneous Professional Services Agreement that was drawn up by KLJ Engineering LLC. This agreement would be a blanket agreement that would allow Jason to consult with KLJ Engineering LLC on miscellaneous engineering tasks as Jason sees fit. This agreement will be used when the highway department needs consulting on random projects in order to repair them properly to get them back up to code. This will allow Jason to consult with them without requiring a contract each time, with a cap of \$10,000.00.
- Jason gave an update on #9 between Edinburg and Hoople. He informed the commissioners that the mill and overlay will start next week. The contractor on this project is Mayo Construction and they felt that it should be completed in a couple weeks. Jason stated that the project was being funded by Operation Prairie Dog/House Bill 1066.
- Jason informed the commissioners that he has a call into Base One regarding the road between Park River and Fordville. Base One is the contractor that supplied the treatment for the road. The treatment did not work like it should have and they have yet to determine the reasoning behind it. They are also looking at putting the armor coat on 12B.
- Wade Thompson, KLJ Engineering LLC, joined Jason to update the commissioners on the bridge on #9, east of #4 by Cashel. The bridge went to three tons last week and Wade was consulted with to see if there was any way to speed up the process due to it being a main road during harvest. The traffic will have to be rerouted to other county and township roads that will not hold up well under the additional stress. Unfortunately, it does not look like they will be able to get it completed by fall. Jason is on the agenda for the Water Board meeting next week to discuss the drainage in the area. The preliminary plan for the bridge on #9 is to use two 9' culverts. The deepest aluminum

can be used is 13' and this channel is 20'. A concrete box would work but would not be available until next year so they are looking into getting some pipes sized but there has been delays with ordering piping as well. It was noted that the bridge inspector found the defect. Due to it being a structural issue it would not be eligible for FEMA money.

- There was a lengthy discussion about the need to be proactive on #4. Jason said they would have to dig up some spots and try to put some tiling in there. He will also talk to the land owner because there is no ditch in his field. If there was an established ditch that would help significantly to move the water so it does not create ponds by the road.
- Jason then presented the commissioners the agreement with KLJ Engineering LLC on the DOT BRP-CVD-5000(015) Job 23565 projects. The agreement states that the compensation is not to exceed \$321,900.00 and the agreement was approved at the previous meeting but has not been signed yet. This contract will speed up the process of the 3 bridges significantly. He also stated that they might move the priorities around on the bridges and complete the bridge by Voss before the one on #8.
- **After a lengthy discussion Jason asked for permission to sign the agreement with KLJ Engineering LLC. Commissioner Barta made a motion to approved Jason's signature on the Short Form of Agreement Between Owner and Engineer for Professional Services, seconded by Commissioner Anderson. Motion carried.**
- Judge Whelan, Kelly Hutton – Deputy Court Administrator, and Bev Demers – Clerk of District Court then joined the meeting to discuss the heating and cooling system in the courthouse. Judge Whelan expressed her concern with preserving the integrity of the court room. There was a lengthy discussion on taking extra consideration for the esthetic of the court room if a new HVAC system is installed. Commissioner Brintnell stated that her understanding from Johnson Controls was that there was no way to put the venting inside the walls and it would have to be exposed. Jason stated that it could be done but the cost and time that it would take to complete the project would be significantly greater. Commissioner Anderson stated at the Court Security Meeting there was a discussion about the possibility of handling the court room in a way that it was esthetically pleasing and asked that Johnson Controls would be made aware of it and consider it when they are designing it. Judge Whelan also wanted to bring before the commissioners the issues that the chambers of the court room are having due to the cooling issues. She stated that the extreme humidity is causing doors to swell, windows to have condensation, and papers being damp. There are multiple dehumidifiers being run and they are unable to keep up with it. She also stated that the employees on the 3rd floor are not only working in extremely hot conditions but the sewage gas smell seems to be getting worse. Jason stated that they have been actively trying to control the sewer smells by putting water, and even oil, down the drains to keep the traps from drying out but they have not found a long-term solution. Commissioner Brintnell stated that the sewer smell has got to be a priority because employees cannot be working in those conditions. A lengthy discussion was then had regarding what the initial estimate that Johnson Controls covered. Chairman Skorheim stated that the bid of \$5 million for the HVAC system will not fix the sewage smell or the electrical system. The commissioners are facing a very tough decision on how much money they should put into an old building, or if looking into relocating the

courthouse into a more modern building would be less costly. Commissioner Barta stated that if it was decided to stay in the courthouse it concerns him on what the costs will be once everything is updated. It is an old building and there will be a lot of costs associated with the HVAC system, becoming ADA Compliant, fixing the sewage smell, and the electrical and piping issues. Commissioner Anderson stated that the commissioners have been discussing this for quite some time and are waiting on the plan from Johnson Control but with the jail not being built for another four years the employees cannot wait that long for these issues to be addressed. Without knowing exactly how much everything is going to cost to renovate the courthouse a decision cannot be made. Chairman Skorheim stated that they are still gathering facts. They visited Fort Wayne's new county jail and sheriff's office and found out that the 50,000 sq feet building was about \$20 million so they were estimating that adding the courthouse to the new jail would cost around \$10 million, about half of what the HVAC update alone would be. Kelly Hutton stated that they had to purchase portable air conditioning units for the offices on the 3rd floor because it is so hot up there. She also stated that there is a musty smell in the courthouse and the vents are grey in one of the offices even though they are cleaned often. Chairman Skorheim questioned how long these issues have been going on and Bev Demers stated that it has been getting progressively worse but would guess that the sewage smell has been for at least the past 10 years, and the temperature issues at least 5 years. A lengthy discussion was had on how the temperature issues can be corrected temporarily until a decision is made on what direction will be taken with the courthouse. Commissioner Brintnell stated that before it can be presented to the public it is necessary to know exactly how much money it will cost to renovate the courthouse and how much it will cost to replace it. She also stated that she would like to look into portable air conditioning units to remedy the temperature issues immediately. Jason thought that there was one place on the 3rd floor that had a drain to put an air conditioner unit in. A discussion was had on the front doors of the courthouse that was paid for by a court security grant. The doors swell in the extreme elements and does not latch properly. Jason is going to look into putting an alarm system on the doors that will alert if it does not latch. Jason is going to ask Sheriff Jurgens to see if the Sheriff's Department can add a door check to their nightly routine.

- Commissioner Barta updated the board on the highway department meetings that are being held every two weeks. It appears that it was a lack of communication and things are moving in the right direction.
- Jason shared that the work orders are getting out on time.
- Commissioner Anderson asked how County # 2 was going. Jason stated that for the past two weeks gravel has been hauled to it and once that is finished, they might move to #4. Chairman Skorheim asked if there was enough gravel on hand and Jason stated that most of the #2 project is coming out of the Lakeside Pit so they are sitting good on gravel.
- Commissioner Barta asked if Jason has received any more applications for the open position at the highway department. Jason stated that he has received one more application. Commissioner Barta stated that the board might have to look at wages for the highway department at budget time to become competitive with other employers.

- Commissioner Brintnell asked if Jason could look into the road by Travis Bells feed lot as the road condition is very soft between the two approaches. Jason stated that they have been working on trying to firm that area up but they are having trouble with that, but are working on it. Commissioner Brintnell asked if the highway department could put up better signage because the red flags that are currently there are easily missed and it is very dangerous if you don't know about it.
- Commissioner Brintnell asked if the commissioners decide to repair the HVAC and stay in the courthouse would that have to go before the public. Commissioner Anderson stated that they would not have to and would only have to if they decided to build. Commissioner Brintnell stated that she does understand that they would want to go to the public if a new courthouse is needed but wanted clarification on the repairs. The commissioners agreed that the whole picture would be needed before a decision could be made and if necessary, taken to the public.

Auditor Quibell then presented the board with a property that currently belongs to Walsh County due to a Quit Claim Deed not being recorded for an old contract for deed. Kelley Cole recommended that the commissioners sign and record a Quit Claim Deed for the property to remove it from the county's name. **Commissioner Barta made a motion to approve signing the Quit Claim Deed, Commissioner Brintnell seconded. Motion carried.**

Meeting adjourned at 11:15 a.m.

Dennis Skorheim, Chair

Attest:

Kristi Quibell
Auditor