

**Hazen City Commission
Regular Meeting
August 17, 2020
Hazen City Hall**

Present: President Obenauer, Commissioner Haack, Commissioner Pillar, Commissioner Stern and Commissioner Wolf.

Others Present: Attorney Donovan, Auditor Erhardt, Editor Arens, PW Director Brousseau, Jerod Klabunde (Moore Engineering), Ken Link, and Buster Langowski.

The meeting was called to order at 5:27 PM by President Obenauer.

President Obenauer led the Pledge of Allegiance and Commissioner Pillar said the prayer.

Minutes: Commissioner Wolf moved to suspend the reading and approve the minutes of the August 3rd meeting, as presented, second by Commissioner Stern. Motion unanimously approved.

Agenda: Commissioner Pillar moved to approve the agenda, as presented, second by Commissioner Haack. Motion unanimously approved.

CONSULTATION WITH ATTORNEY & ENGINEER

Engineer's Report/Agenda: Jerod Klabunde, Moore Engineering, discussed matters with the commission as follows:

- 1) The project contract is completed, and the special assessment committee has the information to determine benefit and assessment to the property owners. This will be completed this year and included on the new tax statements.
- 2) The city will continue to monitor the sewer line at 5th St NW/3rd Ave NW. No update.
- 3) The information of the bid from Bechtold was shared with the developer of Expedition Estates and they indicated they were requesting a detailed cost estimate from Bechtold to lower the manholes and do an asphalt leveling course.
- 4) Mr. Klabunde informed the commission that the funding, from the State Water Commission, for the tank project is secured and construction will likely be done in 2021. The archeological review will be conducted on August 18th with the report available for review by the next commission meeting. There may still be a wetland issue that will be addressed with the corps of engineers. Once all environmental work is complete the property can be transferred to the city. The design and plans can be completed this winter for an early bid opening. President Obenauer expressed concerns as to a lack of "Prairie Dog" funds and how the city will proceed on the local funding side.
- 5) Mr. Klabunde received proposals to address the freezing water lines in the SW area of the city. Commissioner Haack said he had talked to some of the property owners and there are concerns of the depth of the lines and that much of the line was backfilled with sand. Mr. Klabunde stated that, if this were a new project, the lines would have been planned at a deeper depth. There was discussion about installing some type of in-line heat and Mr. Klabunde said this was against health department standards and was not recommended. Two proposals for the project, including patching of the street,

were received with one being \$84,967.42 and the other \$76,600.00. Mr. Klabunde had contacted the apparent low bidder for an estimate cost without the patching of the street and this amount was \$58,600.00. There was much discussion on payment of these costs. There was discussion that the cost should be covered by the city, as a city issue, or if it should be assessed to the affected property, like other water projects. Attorney Donovan said if special assessed property owners cannot protest out of the project. Commissioner Wolf asked about the main freezing and Mr. Klabunde indicated it is not likely. No action taken. Further information will be presented at the next commission meeting.

BND Requisition #11 (Final) – Special Assessment Resolutions Directing Assessment: The commission reviewed a proposed requisition from Bank of ND in the amount of \$38,248.00. Commissioner Wolf moved to approve the requisition request, as presented, second by Commissioner Haack. On roll call vote: Wolf, “Aye”, Haack, “Aye”, Pillar, “Aye”, Stern, “Aye”, Obenauer, “Aye”, motion carried.

The commission reviewed a resolution directing assessment of the 2018 street project in the amount of \$6,102,411.19. This is the complete cost of the project, less the \$562,268.51 from the sales tax fund, and includes estimated costs for publication and legal review. Commission Pillar moved to approve the Resolution Directing the Assessment of Hazen Street Improvement Project District #2018-01, as presented, second by Commissioner Stern. On roll call vote: Pillar, “Aye”, Stern, “Aye”, Haack, “Aye”, Wolf, “Aye”, Obenauer, “Aye”, motion carried. The notice to the chairman of the special assessment committee of assessments to be levied will be provided to the committee.

Annexation – City Limits Description: Kenneth Link appeared before the commission regarding previously discussed annexation plans. Mr. Link has provided annexation plats for several areas but, needs direction from the commission as to any other areas to be considered for annexation. Plats have been prepared for a 2.912-acre parcel in Section 18, T144N, R86W, for a 3.874-acre parcel in Section 13, T144N, R87W, and a 5.68-acre parcel in Section 18, T144N, R86W. Previous discussion was to include a parcel east of the current boundary between 7th Street NE and Highway 200. Mr. Link also recommended annexing the property owned by the city at the location of Lift Station #1 and a small property at the end of 8th Ave NW that was not included in previous areas. Regarding the property near 7th Street NE there was much discussion about simplifying the description by annexing the area to the ¼ section line, because descriptions from previous deeds and recordings are inaccurate. Mr. Link said annexing to the quarter line only pushes the problem of the inaccuracies down the road and they will likely have to be addressed sometime in the future. There was also discussion of simply going straight on a north-south line from the NE corner of the Wiedrich property. Mr. Link said this would require a field survey to determine where this corner is because the recorded documents do not establish this point. Commissioner Pillar would like to see things corrected. Commissioner Stern agreed but, at what cost? Commissioner Wolf moved to proceed with annexation of properties held by Gowin, Meissner, Steffen, and the City of Hazen. President Obenauer asked for a second, three times; receiving none the motion died for lack of a second. Commissioner Stern moved to proceed with annexation of properties held by Steffen, Gowin, Meissner, City of Hazen, and Anderson, to the ¼ section line, second by Commissioner Wolf. Upon discussion, Attorney Donovan asked annexation of any of these areas would affect the dike agreement and was advised they would not. On roll call vote: Stern, “Aye”, Wolf, “Aye”, Haack, “Aye”, Pillar, “Aye”, Obenauer, “Aye”, motion carried.

REQUEST OF CITIZENS

Local Permit – St. Martin Catholic Church: Commissioner Wolf moved to approve local permit #2020-07, as requested by St. Martin Catholic Church, to conduct a raffle in conjunction with the annual fall dinner on October 6, 2020, second by Commissioner Pillar. Motion unanimously approved.

REPORTS

Water/Sewer/Garbage: Commissioner Pillar informed the board that the new public works employee has started, and things seem to be going well.

Street/Cemetery: Commissioner Haack had nothing to report at this time.

Finance/Busing/Library: Commissioner Stern informed the board that he attended the library board meeting on August 13th. The board discussed library needs including AC/Heat equipment replacement and lighting improvements. Grant funds have been secured to address the lighting improvements and staff is busy applying for other available grants. The library is also working on some landscape improvements and volunteers to manage the landscape upkeep.

Police/Fire/Forestry: Commissioner Wolf informed the board that she will be attending the ambulance board meeting on August 24th.

HCD: Buster Langowski had nothing to report at this time.

President: President Obenauer had nothing to report at this time.

CORRESPONDENCE

K. Putnam – Jimmy’s Lounge: The commission reviewed a letter from K. Putnam, Jimmy’s Lounge, detailing plans for the annual customer appreciation BBQ on 9/26/2020. Ms. Putnam detailed efforts to ensure public safety according to state and federal guidelines. The commission appreciates the work to protect the public and shared the concerns relating to hosting Bingo at the facility. Unless new guidelines, or restrictions, are put in place by the Governor facilities can still conduct events but, they shall proceed with caution.

Sheriff Danzeisen: The commission reviewed a letter of Sheriff Danzeisen regarding support of his department as they address funding reductions and the effect these cuts could have on residents and municipal departments. The commission will continue to monitor this issue with no action taken.

OLD BUSINESS

Section Line Closure Hearing: The commission reviewed a proposed letter in opposition to closing a portion of the section line between sections 8 & 9, T144N, R86W because of safety concerns relating to ag equipment using city streets to access ag property. The letter will be forwarded to the county commission and President Obenauer will appear for the hearing on 8/19/2020.

NEW BUSINESS

ND Public Health Insurance Trust – Employee Benefits: The commission reviewed information on the ND Public Health Insurance Trust as established by the ND Insurance Reserve Fund. The goal of the trust is to provide insurance benefits to schools and political subdivision. Blue Cross-Blue Shield of ND

will serve as the health insurance carrier for the trust and the city will keep their current plan or select different plan levels, based on need. Under the trust, employees will have access to additional preventative programs/procedures without cost. Voluntary items such as accident, disability or cancer plans will be available through MetLife but, employees may continue with these products with the current carrier. Commissioner Stern asked if BC/BS was aware of the possibility of the city joining the trust and was advised that they are aware. The commissioner had questions about notifying BC/BS and the holding of funds required by the trust. BC/BS is aware that we may be joining the trust and funds required by the trust, not expended, are designated for each member, and are held by the Bank of ND. Hays Companies, developing the trust, will receive compensation through premium administrative fees, which are a small percentage of the premium cost. Commissioner Stern moved to join the ND Public Health Insurance Trust, second by Commissioner Pillar. Upon discussion, Commissioner Stern asked about the “grandfathered” status of our plan and was advised that we will lose our grandfathered status. On roll call vote: Stern, “Aye”, Pillar, “Aye”, Haack, “Aye”, Wolf, “Aye”, Obenauer, “Aye”, motion carried.

Forestry Board Appointment: The commission was informed that Alex Hermes expressed interest in serving on the forestry board. Commissioner Wolf asked if there were any reason she could not serve on this board and was advised that she may. Commissioner Haack moved to appoint Alex Hermes and Nancy Wolf to the forestry board, effective immediately, second by Commissioner Pillar. On roll call vote: Haack, “Aye”, Pillar, “Aye”, Stern, “Aye”, Obenauer, “Aye”, motion carried.

Approval of Bills: Commissioner Haack moved to approve the bills, as presented, second by Commissioner Stern. Pre-paid and bills approved for payment are as follows: Ameripride, 363.80; Approval Payment Solutions Inc, 7.18; Bank of ND, 32645.19; Benjamin Bohrer, 100.00; Cenex, 339.93; Coal Country CHC, 262.00; Dakota Pump & Control Inc, 360.00; Donovan & Kaffar PLLP, 1207.02; Downtown Gas & Auto, 301.50; Farmer’s Union Oil, 255.00; Fitterer Oil Hazen, 74.26; Harlow’s Bus Sales, 15.02; Hazen Motor Co, 496.56; Hazen Welding, 865.00; ITD, 10.30; Innovative Office Solutions LLC, 189.94; J&M Hardware, 49.98; Lauren Donovan, 228.72; Lucky Buchmann, 350.00; Macqueen Emergency, 333.50; Matthew Bender & Co, 134.31; Meissner Contracting, 1600.00; Mercer Co Treasurer, 5254.90; MDU, 4109.55; ND Dept of Health, 32.00; NAPA, 199.31; ND One Call Inc, 43.85; Pitney Bowes, 431.52; Power Plan, 32.94; Praxair Distribution Inc, 193.90; Roughrider Electric Coop Inc, 2744.33; Share Corp, 1217.07; Sign Pro, 49.50; Stamps.com, 50.00; Steve Gowin, 353.48; The Hub, 624.10; US Postal Service, 120.00; West River Telecommunications, 1095.94; Western Dakota Energy Assoc, 200.00. On roll call vote: Haack, “Aye”, Stern, “Aye”, Pillar, “Aye”, Wolf, “Aye”, Obenauer, “Aye”, motion carried.

There being no further business, the meeting was adjourned at 6:50 PM CT. The next regular meeting of the commission is scheduled for Tuesday, September 8, 2020 at 5:30 PM CT in the Commission Room of the Hazen City Hall.

Approved: _____
Jerry Obenauer, President

Attest: _____
Monte J. Erhardt, Auditor