

Regular Meeting – October 11, 2023

***The council meeting was held at the Fairview Senior Center.

Mayor Brian Bieber called the meeting to order. Mike Sannon was absent. Attorney Kaitlin DeCrescente attended via MS Teams Meeting.

Minutes: Kevin Dahl moved to accept the minutes from the regular council meeting that was held on September 13, 2023. Betty Cherrey seconded. Motion carried. (5 Ayes– 0 Noes– 1 Absent)

Guests: EMT's Lyndsey Sorteberg and LaShelle Sheehan

EMT's:

Lyndsey Sorteberg stated that there were currently only three (3) active EMT's in Fairview at this time. Due to their regular working hours and medical appointments, it is hard to keep Fairview covered. Lyndsey asked the Council for help in spreading the word to recruit people to take the class.

LaShelle Sheehan stated that even though it is a paid volunteer position, they do not have to run every time there is a call. However, the more trained EMT's there are, the more the calls can be covered when others may be unable to respond.

So far this year they have had 92 calls. Out of those, Sidney had to help and respond to 51 of them. Lyndsey stated that they are very appreciative to them for covering, but waiting for Sidney to respond could add an additional 20 minutes or more to a call. That 20 minutes could literally mean life or death to a patient.

Mayor Bieber asked how many were currently signed up for the course. Lyndsey responded that there were none. Two people have shown interest but not officially signed up for the course.

Lyndsey stated that the course costs \$250 which basically covers the book. The teachers volunteer their time. Once the EMT has been in service for six (6) months, Sidney Health Center will reimburse them for the course.

Clerk Faye Carlson will put the course poster on the Town's Facebook page as well as put a poster up in Town hall.

Employee Complaint Policy:

Kevin Dahl moved to adopt the September 22, 2023 version of the Employee Complaint Policy as written by Attorney Kaitlin DeCrescente. All complaints will be sealed and given to the Mayor for review. Jerrold Baxter seconded. Motion carried. (5 Ayes– 0 Noes– 1 Absent)

UNFINISHED BUSINESS:

Spencer VanWichen – Interstate Engineering:

***Water System Improvement Projects:** Spencer reported that all of the mains have been installed and that the testing will be completed this week.

The trenches will be filled with millings and packed for the winter with the actual asphalt patching being done in the Spring of 2024.

***Pay Application #:** Spencer presented the Council with Pay Application # to be signed by the Mayor. Brian Renville moved to have Mayor Bieber sign Pay Application #2. Kevin Dahl seconded. Motion carried. (5 Ayes– 0 Noes– 1 Absent)

***Draw Request #3- ARPA MAG + Competitive Grant.** Betty Cherrey moved to have Mayor Bieber sign Draw Request #3- ARPA MAG + Competitive Grant in the amount of \$482,120.25. Brian Renville seconded. Motion carried. (5 Ayes– 0 Noes– 1 Absent)

***ARPA Draw Relief Letter:** This is a letter to the State seeking relief from ARPA grant agreement AMC-23-0023, Section 7 that states that the Subrecipient agrees to submit documentation of grant expenses it has incurred to receive reimbursement from DNRC. The Town of Fairview does not maintain reserves for expenditures as large as this reimbursement requires and asks that they release the funds to the Town. Kevin Dahl moved to have Mayor Bieber sign the ARPA Disbursement Assistance Letter. Brian Renville seconded. Motion carried. (5 Ayes– 0 Noes– 1 Absent)

***Sewer:** Spencer stated that the sewer project has been completed. The only thing to discuss on this now is maintenance plan to be done.

Spencer has spoken with the The Pipe Detectives out of Jamestown, ND to receive a quote for services for five thousand (5000) feet of line. Spencer stated that fifty percent (50%) of the cost will be mobilization fees. With the winter coming on and the risk of weather stopping the project from being done, Spencer feels it would be best to wait until spring to have this done. The footage could then be increased.

Spencer discussed the issues with the Yellowstone Car Wash main that continues to freeze every winter. Spencer stated that this line is only down three and a half to four feet. The best solution would be to insulate the line. He spoke with Western Municipal on doing this but they are unable to do it this year but may possibly in the Spring. In the meantime, the Public Works Dept. will continue with their routine maintenance.

***Questions/Feedback from Council:** None

DEPARTMENT REPORTS:

Dan Murphy-Public Works:

Dan stated that his items had already been covered above by Spencer.

Questions/Feedback from Council:

Betty Cherrey asked Dan if there was an update on the Larry Voss house behind the Merchants Bank. Dan stated that he had spoken with Mr. Voss and that his daughter was handling things.

Clerk Faye Carlson stated that Mt. Voss had been cited and he had paid the fine. Faye then sent a text to Court Asst. Mary Norgard and asked if Mr. Voss had made any comments on when the property would be cleaned up. Mary stated that he had not. Asst. Chief Hergert was instructed to continue citing Mr. Voss to the maximum allowed by law.

Mayor Bieber asked Dan about the street running along the canal in front of RH Giffords. It has a large pot hole in in rough shape. It is unsure if that is an actual street or not. Faye will do some research on this.

Police: Asst. Chief Whitney Hergert:

Activity Report: 115 incident/calls for service/traffic reports in September. 1012-Incidents to date for 2023.

Police Cruisers:

* All three (3) cruisers have had the new decals put on.

*Tahoe: After completion of the vehicle inspections, the 2016 Tahoe has been pulled from use until the radar and dashcam are repaired. The part for the radar has been ordered. A new dashcam has been priced out at \$4,000.

*2016 Ford Expedition: Ready to be put out on bids.

Training:

*Asst. Chief Hergert will be attending an ARIDE certification hosted by North Dakota Highway Patrol on October 16th and 17th, 2023 in Watford City, ND. The training is free and is a required certification for Marijuana D.U.I.'s.

*She will also be attending the Case Law training in Billings October 29th and 30th, 2023

*There is a Taser Instructor training in December that Asst. Chief Hergert would like to attend. The fee for the class is \$450. This does

Personnel:

* Officer Braaten has resigned as of September 28th, 2023. It is unknown if she will continue on as a short term officer.

* One application has come in. Clerk Faye Carlson will contact Police Commission and applicant to set up an interview.

Questions/Feedback from Council: None

Clerk Faye Carlson: Nothing

Questions/Feedback from Council: None

Court Report: September fines collected were \$2,857. \$1,700 written prior to 2023, \$175 from 2023, converted bonds \$100 and restitution of \$400 making a total of \$1,575 received from the court.

COUNCIL MEMBERS:

Lloyd Fugate: Nothing

Kevin Dahl: Nothing

Mike Sannon: Nothing

Brian Renville: Absent

Jerrold Baxter: Nothing

Betty Cherrey: Betty asked Clerk Faye Carlson about the town website. Faye replied that she had contacted them and sent the info needed but she had not heard from them yet.

Betty then asked if there were any updates on the codification process. Faye replied that she had heard nothing.

Regular Meeting – October 11, 2023

-3-

Attorney Kaitlin DeCrescente: Clarification on permitting of signs:

Kaitlin asked if the Council had read her memo concerning the sign permits and asked for recommendations.

The confusion over the banners was decided to be separated from advertisement banners and store front business name types. The Business type banners would need to be permitted.

Kevin Dahl questioned if they businesses would have a set time of six (6) months or one (1) year to replace the banner with a permanent sign. Mayor Bieber commented that he felt one (1) year was reasonable.

Kaitlin asked if the Council had a preference on materials that the signs could be made from. Kevin Dahl replied that the material was not important as long as the sign was permanent. There was further discussion on material types to make sure that the sign could be considered permanent and not just a framed banner.

Kaitlin will draft an ordinance pertaining to business storefront signage for the November meeting.

Mayor Brian Bieber: Nothing

Bills:

Kevin Dahl moved to pay the bills. Betty Cherrey seconded. Motion carried. (5 Ayes–0 Noes– 1 Absent)

Meeting was adjourned.

Bills Listed By Check Number:

-99376 US Bank	Water Bond B and Sewer Bond A Loan Payments	56375.27
34235 A-Ford-Able Const.	Deductible for Roof Repairs – 1003 Richardson	1000.00
34236 A-Ford-Able Const.	Roof Repairs-1003 Richardson (Reimbursed by MMIA)	6300.00
-99375 WEX Bank	Fleet Fuel Cards	2150.77
34237 Wick Kid Repair	Reissue for Lost Check # 3422 (Which has been cancelled)	2559.87
34202 MDU	Power	3528.03
34199 Mid-Rivers	Phone & Internet	503.37
34201 LYREA	Power – Lagoon	70.00
34200 Verizon	Internet-Police DataMaxx	160.04
34203 Aramark	Rugs	87.36
34207 Utilities ULC	811 Line Locates	106.76
34210 United Heritage	Employee Group Life	59.86
34209 Herring Law Office	Prosecuting Attorney Fees (September)	126.00
34206 Rich. Co. Treas.	Court Surcharges	65.00
34205 Energy Lab	Water Testing	886.00
34204 Hawkins	Chemicals – Treatment Plant	3204.59
34220 Ace Hardware	Keys for Pool, Locks Shooting Range & Restroom Parts	77.51
34211 Tractor Supply	Garbage Truck Oil & Hydraulic Fluid-Loader	99.98
34208 Neff Eiken & Neff	Civil Attorney Fees – (September)	1820.00
24230 Petty Cash Expense	Police Scanner, Drop Box, Laptop, MS 365 &Adapters & Misc	1394.46
34213 Car Quest	Police Interceptor Battery	149.97
34254 Solid Waste	Battery & Parts for Garbage Truck	375.57
34255 Pump Systems	Annual Maintenance-Sewer Lift Station Pumps	910.00
34256 Western Tire	Police Interceptor 2 Oil Change & Tahoe Tires	727.17
34257 Advanced Com.	Reprogram Police Tahoe Radio	129.00
34258 Cherrey’s Red Top	Police Cruiser Repairs (Interceptor and Expedition)	754.79
34259 Franz Const.	12 Loads of Road Gravel	7200.00
34260 Seader Digging	Replace Curb Stop – Brenda Riedel	345.00
34261 John Hutter Towing	Move Impound Vehicle from Shop to Lot	40.00
34262 Hurley Enterprises	Garbage Truck Repairs	1549.41
34263 MonKota	Windshield for Police Interceptor 2	345.00
34264 Signs of Sidney	Graphics for Police Cruisers	1810.00
34265 ElectricLand	Cable for Police Department	19.99
34266 BOSS	New Office Printer and Staples	459.93
34267 J, M & Grant	Water Project Phase II – Bond Counsel	25000.00
34268 Horizon Resources	Supplies & Fuel – PW and Police	181.78

PAYROLL LIABILITIES

-88857 MPERA	Employee Retirement	2485.92
-88856 US Treasury	Withholdings	2963.42
-88855 Dept. of Revenue	State Withholdings	613.00
-88854 Aflac	Balancing Payroll Clearance Fund	.00
-88853 BCBS	Employee Health Insurance	3998.53

Regular Meeting – October 11, 2023

-4-

-88852	Delta Dental	Employee Paid Dental & Vision Insurance	175.64
-88851	Aflac	Balancing Payroll Clearance Fund	.00
-88850	Aflac	Employee Paid Short Term Disability & Other Ins.	584.38
-88849	MPERA	Employee Paid 457 Deferred Plan	45.60
-88848	UI Ins. Division	Unemployment	322.10
4376	Norma Faye Carlson	Wages	1360.87
4377	Mary Norgard	Wages	1249.54
4378	Aleacia Bratten	Wages	1867.38
4379	Whitney Hergert	Wages	2357.32
4380	Frances Ereth	Wages	260.50
4381	Daniel Murphy	Wages	1658.74
4382	Ole Ruud	Wages	1152.73
4383	Gorm Scarpholt	Wages	816.84
4384	MMIA WC	Workers Comp	3496.92
4385	Norma Faye Carlson	Wages	1360.88
4386	Mary Norgard	Wages	1249.54
4387	Aleacia Bratten	Wages	807.73
4388	Whitney Hergert	Wages	2017.20
4389	Daniel Murphy	Wages	1658.74
4390	Ole Ruud	Wages	1152.73
4391	Gorm Scarpholt	Wages	816.84
4392	Jerrold Baxter	Council Fee	126.01
4393	Betty Cherrey	Council Fee	126.01
4394	Kevin Dahl	Council Fee	126.01
4395	Lloyd Fugate	Council Fee	56.01
4396	Brian Renville	Council Fee	126.01
4397	Michael Sannon	Council Fee	126.01
4398	Brian Bieber	Mayor Fee	216.74
4399	Ray Trumpower	Judge Wages	724.50
4400	Aleacia Braaten	Final Accrued Vacation & Sick Pay	1120.96

Norma F. Carlson, Clerk

Brian Bieber, Mayor