

CITY OF HILLSBORO

Commission Members:
Terry Sando, President
Levi Reese, Vice President
Shawn Skager, Dave Sather, and
Mike Kress

19 S Main, PO Box 400
Hillsboro, ND 58045
Phone: (701) 636-4620 Fax (701) 636-4621

Auditor: Ashley Frederick
Public Works Director: Jim Anderson
City Attorney: John Juelson

REGULAR CITY COMMISSION MEETING **March 1, 2021, 6:30PM at MSCC**

A G E N D A

1. **Open with Pledge of Allegiance**
2. **Riverwalk Developers Presentation**
3. **Reading of Minutes** – February 16, 2021 Regular Commission Meeting
4. **Presentation of Bills**
5. **City Commissioners Reports**
6. **Report of City Officers**
 - 6.1 Superintendent
 - 6.2 Attorney
 - 6.3 Auditor
 - 6.4 Sheriff's Office
7. **Old Business**
 - 7.1 USDA Water Main Project Loan Resolution Document - signatures required
8. **New Business**
9. **Citizens Addressing the Commission**
10. **Adjournment**

NEXT REGULAR MEETING:
MONDAY, March 15, 2021, 6:30 PM
MAIN STREET COMMUNITY CENTER

DATE: 02/16/2021

TIME: 6:30 PM

THE HILLSBORO BOARD OF CITY COMMISSIONERS HELD A REGULAR MEETING AT MAIN COMMUNITY CENTER AT THE ABOVE DATE AND TIME.

Commissioners present: Sando, Reese, Kress, Skager and Sather

Commissioners absent: None

Commissioner Sando opened the meeting with the Pledge of Allegiance at 6:30 PM.

Reading of the Minutes:

Commissioner Sather moved to approve the February 01, 2021 Regular City Commission Meeting Minutes. Commissioner Kress seconded. Motion carried.

Presentation of Bills:

AP to be approved on 02/16/2021	As of 02/16/2021	
AE2S	EV Charging Station- final design	\$1,352.50
Aramark	rugs & mops- City Hall & Armory	\$180.50
Brite-Way Window Cleaning	City Hall windows	\$45.00
Business Essentials	tape cartridges	\$108.47
Butler Cat	utility grease cartridges	\$51.28
Clifford Farmers Elevator- Galesburg	propane- shop	\$495.50
Farnams Genuine Parts	jump starter, batteries, filters	\$1,039.33
Goose River Heating & Cooling	WTP- thermostats, heatpump	\$13,488.00
Grand Forks Welding & Machine	c- channels	\$210.60
Hillsboro Airport Authority	Jan. 2021- contribution	\$2,973.54
Hillsboro Banner	legals & ads	\$1,007.75
Hillsboro Lumber	lumber, siding panels- shop, door levers	\$3,239.28
KRJB-FM	BSE & wrestling ads	\$440.00
Lake Agassiz Water Authority	2021 Membership Dues	\$250.00
Loffler	Jan 2021 copies	\$97.78
Magnuson Tires & Service	tire repair	\$44.95
Midwest Pest Control	Police, Fire, Gen plant- All Pests; Fire-AF	\$128.00
MRES	infrared scanning	\$1,951.20
ND One Call	January 2021 tickets	\$8.40
Premium Waters	water- shop & city hall	\$60.20
RMB	water testing	\$165.00
RS Electric	shop wiring	\$1,091.50
Team Lab	wipes, vehicle wash	\$196.00
USA Blue Book	filter, electrode, water testing supplies	\$830.79
Verizon	cellphone, new phone- Jim	\$787.90
Waste Management	refuse & recycling	\$21,449.33
Total Accounts Payable		\$51,692.80

Commissioner Reese moved to pay bills as presented. Commissioner Kress seconded. None voted no. Motion carried.

Disconnects – Commissioner Reese moved to approve the February 2021 disconnects. Commissioner Skager seconded. None said no. Motion carried.

City Commissioners Reports:

Commissioner Reese – Rec Board met on Wednesday, February 10, 2021 at 7pm. They would like to start holding Adult Ed Classes and would like permission from the Commission to use the Community Center. Commissioner Sather made a motion to approve the use of the Community Center by the Rec Board to hold their Adult Ed Classes if they clean up afterwards and abide by COVID Guidelines and Social Distancing. Commissioner Kress seconded. None said no. Motion carried.

-Waiting for a nice day to schedule the pool line inspection.

Commissioner Skager – Would like to get a letter of Recognition for MRES Senior Vice President of Power Supply and Operations, Ray Wahle, who is retiring May 28, 2021. Skager and Sando would like to have the letter signed by all the Hillsboro City Commissioners before sending. Commissioners asked Auditor Frederick to have her office put something together for their next meeting.

Commissioner Kress – Nothing to report.

Commissioner Sather – Nothing to report.

Commissioner Sando – Feeling better about the Audit. The City Hall staff as well as Mark Forseth have been working very hard getting the Reconciliations finished.

City Officers Reports:

Public Works Superintendent Anderson – There was a block of outages on Sunday evening on February 14, 2021. Didn't last long and all the power is back on.

City Attorney Juelson – Nothing to report.

City Auditor Frederick – Assistant Admin Lacher has begun putting items on the new website. The website will go live once everything has been transferred from the current website to the new website. GovOffice recommends the city get a YouTube channel to post all their video and audio files to save space on the City's website.

- Would like a motion for approval to have Assistant Lacher set up a YouTube channel for the City of Hillsboro to house all the City Commission Meeting Recordings. The channel could also be used to live stream the Commission Meetings when the time comes.

Commissioner Skager made a motion to approve the City Hall Staff to create a YouTube page for the City of Hillsboro. Commissioner Sather seconded. None said no. Motion carried.

-Brenda Stallman from Hillsboro Schools, asked if the city would like to purchase their old floor machine for the Armory at the price of \$2500.

Commissioners - not interested.

-Mickie DePaolis, an Aflac Agent from Mayville, reached out to the Auditor's office inquiring if the city would be interested in having her come in and do a presentation for the City Staff and the Commissioners. Commissioners - not interested.

-Mary Keating from KMAV radio in Mayville asked if the city would like to sponsor the various sports tournaments coming up.

Commissioners - not interested.

Sando would like to prioritize live streaming through HTC and KRJB radio.

Commissioner Kress made a motion to focus sports event sponsorship and advertising to go through HTC and KRJB for livestreaming and radio ads. Commissioner Sather seconded. None said no. Motion carried.

-Community Center Rentals:

1. March 6th - a group of individuals in Hillsboro would like to have a meeting for their shooting club and would like to use the Community Center to hold the meeting.
2. March 19th – the NDSU Extension would like to use the Community Center for their pesticide’s training/certification.

Commissioner Reese made a motion to allow both groups permission to use the Community Center for their meetings if they follow COVID guidelines and social distancing practices. Commissioner Skager seconded. None said no. Motion carried.

-Traill County Extended the Mask Mandate and will review again at their meeting on May 4, 2021.

- Audit update: The City Hall Staff is currently working with both the State Auditors and Mark Forseth to complete all the missing Bank Reconciliations from 2018 and 2019. The Auditors office has weekly teams meeting with the State Auditors to go over progression of the process. Frederick feels they are heading in the right direction.

Steve Swanson – For the I29 Watermain Project he is working on getting an agreement from the Railroad to cross their property. It will cost the city about \$5000 for fees relating to the application, lease agreement, Insurance and mapping.

-Swanson stated he received a handful of Riverwalk documents and asked if he should Start looking at the Civil Engineering portion or if he should wait until the City has a chance to review and vote on the Developers Agreement. Commissioner Sando asked Swanson to hold off until the Developer’s agreement has been agreed on and has went through Planning and Zoning. John Juelson feels the Developers should present to the Commission before sending it to Planning and Zoning.

-Commissioner Reese brought up the topic of doing the streets in town. Per Swanson the City should get a street evaluation. The commission asked Swanson to put a proposal together explaining the costs of the pavement analysis. Commissioner Skager would also like the street signs to be replaced in town. Superintendent Anderson will get quotes and Swanson stated street signs could be a part of the Street Analysis Proposal he puts together.

Traill County Sheriff’s Department – Nothing to report.

Old Business:

USDA Water Main Project documents signatures required – *Commissioner Reese made a motion to approve the signatures for the USDA Grant/Loan for the watermain project. Commissioner Kress seconded. None said no. Motion carried.*

New Business:

MRES Information & Representative change form resolution – *Commissioner Reese made a motion to approve Superintendent Anderson to be the MRES Representative for the City of Hillsboro allowing him to have voting rights at the area Meetings, with City Auditor Frederick as the Alternate allowing her to vote in Anderson’s place if need be. Commissioner Skager seconded. None said no Motion Carried.*

HBA Pancake Breakfast April 17th – *Commissioner Reese made a motion to approve the use of the Community Center or the Armory, which ever would work best, for HBA to hold their Annual Pancake Breakfast on April 17, 2021. Commissioner Sather seconded. None said no. Motion carried.*

Sanford's Breakfast Meeting Catered by Hillsboro Café – Date undecided but hoping to hold it sometime in March.

Commissioner Reese made a motion to approve the use of the Community Center for Sanford's Breakfast Meeting catered by the Hillsboro Café when they decided on a date if they agree to follow COVID guidelines and adhere by the Social Distancing guidelines. Commissioner Kress seconded. None said no. Motion carried.

Hillsboro School Cash Raffle, Restricted Event Permit Approval – *Commissioner Reese made a motion to approve the Restricted Event Permit for the Hillsboro Public school to hold a Cash Raffle. Commissioner Sather seconded. None said no. Motion Carried.*

Citizens/Businesses Addressing the Commission –

Bambi Manthey - Representing Mayville State Childcare Center- MSU Daycare Director Bambi Manthey asked the Commissioners if they would help pay for 50% of renovations being done at the Armory. The Renovation cost split would cost the City about \$3500. The list of items is as follows:

- 5 new Classroom Doors
- Painting Hallways

Sando Stated the North and South Doors to the outside of the building needs to be replaced as well. Manthey also stated MSU daycare would like to take out two walls at the expense of the daycare program. One wall would be replaced the other would not. The wall that would not be replaces is believed to be a “load Barring” wall. The commission asked Auditor Frederick to get Mike Blevins from Midwest Inspection Services, the City's Building Codes Inspector, or Jay Klevins a Structural Engineer with AE2S to evaluate the wall before it comes down. The City is contracted with both companies. The city will pay the whole bill and then submit a bill to the daycare for 50% of the paint and classroom doors.

Commissioner Reese made a motion to approve MSU Daycare to paint the hallway walls and install 5 new classroom doors at 50% of the cost to the City of Hillsboro and the other 50% to be paid by the daycare. Commissioner Skager seconded. None said no. Motion carried.

Commissioner Reese made a motion to approve Commissioner Kress, who holds the building portfolio, to get quotes on doors for all the outside doors. Commissioner Sather seconded. None said no. Motion Carried.

Adjournment:

Commissioner Sather moved to adjourn the meeting at 7:40 PM. Commissioner Sando seconded. Motion carried.

Ashley Frederick
City Auditor

Terry Sando
Commission President

**The next regular meeting of the Hillsboro Board of City Commissioners
will be at 6:30 PM on Monday March 1, 2021 at Main Street Community Center.**

EOM to be approved on 03/01/2021**PAID on 02/26/2021**

James P. Baumgartner	Payroll	\$4,343.42	24518
Thomas C. Keeney	Payroll	\$356.88	24519
Jay J. Alfson	Payroll	\$3,778.33	ACH
James M. Anderson	Payroll	\$4,629.60	ACH
Julie H. Bjorklund	Payroll	\$3,847.39	ACH
Ashley D. Frederick	Payroll	\$3,382.14	ACH
Jonthan E. Hams	Payroll	\$4,364.49	ACH
Gerald M. Hovet III	Payroll	\$3,563.30	ACH
Desiree K. Lacher	Payroll	\$3,310.39	ACH
Taxes Federal	Payroll taxes	\$11,609.32	ACH
Blue Cross Blue Shield of ND	Dental & Vision Ins	\$839.20	ACH
Bell State Bank & Trust	Profit Sharing Plan	\$2,879.61	ACH
Missouri River Energy Services	Dec Energy Charges	\$233,436.61	ACH
ND Pers	Jan Health Insurance	\$10,870.46	ACH
Total Accounts Payable		<u>\$291,211.14</u>	

AP to be approved on 03/01/2021**As of 02/26/2021**

Ag Spray/ Fimco	vertical tank and valve	\$766.90
Cardmember Service	training, sewer truck parts, adobe	\$1,034.22
ECRWD	water testing	\$5,908.92
H2O Innovation	spectraguard, sensors	\$8,338.24
Hawkins	WTP- chemicals	\$572.20
Kress, Mike	March- mowing contract	\$1,041.67
Lamb, William	Refund of Deposit	\$100.00
Lovro Electric	City Hall- fix outlet	\$75.00
Midwest Pest Control	Armory- all pests	\$75.00
Nodak Electric Coop	outage near Frank Kartes	\$412.35
RMB	water testing	\$70.00
Trall County Treasurer	March- Sheriff	\$15,031.00
Trall County Tribune	2021 subscription	\$38.00
		\$33,463.50

LOAN RESOLUTION
(Public Bodies)

A RESOLUTION OF THE _____

OF THE _____
AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A
PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS

FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the _____

(Public Body)

(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of

_____ ; and

WHEREAS, the Association intends to obtain assistance from the United States Department of Agriculture,
(herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921
et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event
that no other acceptable purchaser for such bonds is found by the Association:**NOW THEREFORE**, in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal ly permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0572-0121. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

- 11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.
- 12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
- 13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
- 14. That if the Government requires that a reserve account be established, disbursements from that account(s) may be used when necessary for payments due on the bond if sufficient funds are not otherwise available and prior approval of the Government is obtained. Also, with the prior written approval of the Government, funds may be withdrawn and used for such things as emergency maintenance, extensions to facilities and replacement of short lived assets.
- 15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain USDA's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.
- 16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.
- 17. To accept a grant in an amount not to exceed \$ _____

under the terms offered by the Government; that the _____

and _____ of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

The vote was: Yeas _____ Nays _____ Absent _____

IN WITNESS WHEREOF, the _____ of the

_____ has duly adopted this resolution and caused it

to be executed by the officers below in duplicate on this _____, _____ day of _____

(SEAL)

By _____

Attest:

Title _____

Title _____