

**CITY OF TIOGA**

City Commission Special Meeting Minutes

Thursday, March 15, 2023

<https://youtu.be/b4kDbeMlusc>

A special meeting of the City Commission of the City of Tioga was called to order at 9:30 am on March 15, 2023, at the Tioga City Hall, by the Tioga Commission Vice President Larry Maize.

PRESENT: Larry Maize, Shawn Travis, Jessica Sandberg, Elizabeth Pendlay (on phone), Abby Salinas

ABSENT: Kevin Litten, Tim Christianson

Guest: Jacob Orledge, Dennis Hendricks, Orabelle Pederson, Josh Nelson, Jeff Moberg, Dan Larson

**New Business:**

1. Property 522 North Main Street, Flood Hazzard – Dan Larson (Community Service Director/Planning and Zoning) gave Commission Board a summary of events on property located at 522 North Main Street. Larson stated that he visually inspected property and called Jeff Moberg (Water Superintendent) to assist him and it was determined that the basement of property was overfilled with water due to a possible line break on the premises of property. Moberg shut water off at curb stop. Contact was made with Rachel Vincent owner of property, she would not consent for City staff to enter property to remedy any other issue that might exist. Vincent did confirm that the basement was filled with water stating that it's a water main issue. The next-door neighbor Dennis Hendricks was contacted, property located at 518 North Main Street, because there were signs of water saturation between both properties and it was determined that the water is seeping into his basement. Exhibits given to Commission Board for their review of water leaking into basement of 518 North Main Street property. Larson is seeking an emergency order to enter into residence at 522 North Main Street because it is now damaging neighbors' home, in order to remedy situation.

**Travis made a motion to grant emergency order to enter property on 522 North Main Street in order to assess and abate nuisance which endangers adjoining property, second by Sandberg. Call – Ayes; Travis, Sandberg**

ORDER AUTHORIZING EMERGENCY ENTRY INTO RESIDENCE TO ABATE AND ASSESS NUSIANCE WHICH ENDANGERS ADJOINING PROPERTIES WHERE AS, the City Commission conducted a special meeting on March 15, 2023, WHERE AS, certain witnesses gave testimony regarding a significant water leak and accumulation at 522 N. Main Street, Tioga, ND, the contents of which fully incorporated herein by reference; NOW THEREFORE, the City, having heard such testimony, the City FINDS that there is probable cause to believe that such water leakage and accumulation endangers adjoining property; that the owner of 522 N. Main Street, Tioga, ND, has failed or refused consent to permit an appropriate member of the City to enter the residence to assess the issue, determine the point of leak and attempt to mitigate any further leakage and damage to adjacent properties and/or utilities; THE CITY COMMISSION, having found such probable cause exists and there is an imminent threat to adjacent properties without assessment and appropriate abatement hereby ORDERS: 1. That the appropriate representative(s) of the City shall enter the residence and make assessment of the leakage or cause of the leakage; 2. That the City shall take reasonable measures to abate or mitigate the leakage in order to prevent further and other damage to adjacent properties; 3. That the City shall have a period of ten (10) days within which to effectuate the terms of this Order. This City shall immediately deliver a copy of this order to Rachel Vincent and shall post a copy of the same at a conspicuous location at the said residence.

With no further business the special meeting of the Tioga City Commission was adjourned by unanimous vote moved by Travis, second by Sandberg, at 10:06 am.

The next meeting of the City of Tioga is scheduled for Monday March 20, 2023 at 7:00 p.m., to be held at the Tioga City Hall.

---

Larry Maize, Vice President of the City Commission

ATTEST:

---

Abby Salinas, Tioga City Auditor