

**McLean County Commission Proceedings
Tuesday, July 5, 2016**

The first regular July meeting of the Board of Commissioners was called to order at 8:32 a.m. by Chairperson Steve Lee. Present were Commissioners Lee, Doug Krebsbach and Barry Suydam. Also present were Auditor Les Korgel, Deputy Auditor Nancy Leidholm, and Alyssa Meier of BHG News Services.

Moved by Krebsbach, seconded by Lee, to approve the minutes of the previous meeting as submitted. Roll Call Vote: Aye: Krebsbach, Suydam, and Lee. Nay: None. Motion carried.

Highway Superintendent Jim Grey and Wold Engineering Representative Ron Wagner joined the meeting. Grey reported that magnesium chloride has been applied to roads in the Wolf Creek area as well as County Road (CR) 13 and Township Road 30. Gravel crews will be starting in the western part of the county today. Grey also informed the Commission that the recently purchased 2015 Case IH Maxxum tractor had been delivered.

Wagner briefed the Commission of ongoing road projects continuing throughout the county; reporting that micro sealing on CR 33 should finish up this week with seal coats in Mercer, Butte and Max starting shortly thereafter. Korgel questioned when the bridge project south of Washburn would begin. Wagner stated that it should begin this fall.

Grey told the Commission that Adam Peyer, Washburn, had been hired to fill the vacant Equipment Operator II position. Peyer started June 27 and is doing well.

Moved by Krebsbach, seconded by Suydam, to approve the Gaming Site Authorization from American Legion Post 133 of Turtle Lake for bingo and pull tabs at The Shore Bar & Grill, Brush Lake Pavillion, from July 1, 2016 through June 30, 2017. Roll Call Vote: Aye: Krebsbach, Suydam, and Lee. Nay: None. Motion carried.

Korgel presented a financial recap for the period ending June 30, 2016 including the list of delinquent taxpayers owing more than \$4,000.00 which shows twenty-eight taxpayers owing a total of \$231,991.69. He also presented the unpaid tax report. Property taxes are at 96% collected with the discount compared to 96% in 2015. Government reimbursements including PILT, State Aid, and Coal Severance are at \$1,359,575.58 compared to \$1,505,580.31 in 2015. Fees and miscellaneous revenues are at \$820,146.42 compared to \$617,751.68 in 2015. On the expense side the 2016 budget is \$14,502,588.06. \$8,440,368.94 has been expended or 41.80%.

Lee questioned how the Sakakawea land transfer between the Three Affiliated Tribes and the U. S. Army Corps of Engineers would affect the county's PILT payment. Discussion followed.

The board received and ordered filed the monthly revenue report submitted by the Recorder's office in the amount of \$6,111.30 for the month of June.

The board received and ordered filed the monthly revenue report submitted by the Sheriff's office in the amount of \$685.63 for the months of February, May and June.

Moved by Krebsbach, seconded by Suydam, to approve the following vouchers for payment:

CHECK #	VENDOR	DESCRIPTION	AMOUNT
A130241	CIRCLE SANITATION SERVICE	GARBAGE PICKUP AT GARRISON & WASHBURN SHOPS	129.25
A130242	JOB SERVICE NORTH DAKOTA	QTR ENDING 06/30/2016 – HIGHWAY	765.85
A130243	SCOTT'S HARDWARE	PARTS, TURTLE LAKE SHOP, BRIDGE MATERIALS	62.96
A130244	WOLD ENGINEERING P.C.	PROJECT B-15-11, CNOB-2800(051)	24,592.31
A130245	ACTION MOTOR SPORTS	2 TIRES FOR RANGER – WEED CONTROL	359.98
A130246	AT&T MOBILITY	SHERIFF, STATES ATTORNEY – CELL SERVICE; LAND USE – DATA CARD	179.96
A130247	AT&T	LEA TRACKING	475.00
A130248	BHG INC	NOTARY STAMP – COTE-KANNING, COMMISSION MINUTES, HELP WANTED ADS, CHI HEARING NOTICES, P&Z MINUTES; TRACTOR BIDS, ELECTION BALLOTS, ELECTIONS NOTICES, P&Z NOTICES, PARK – ENVELOPES, MARKERS, NOTEPADS	3,553.77
A130249	BUSINESS CARD	WITNESS AIRLINE TICKET, MEALS – ELECTION WORKERS, TRAILER RENTAL, JURY MEALS, SIT-STAND DESKTOPS	3,019.50
A130250	CHS CREDIT CARD DEPT	GASOLINE – SHERIFF	2,537.62
A130251	CHASE DRUG STORE	PRISONER MEDICAL	361.54
A130252	JUSTIN COTE-KANNING	REIMBURSE NOTARY NAME CHANGE	10.00
A130253	DIGITAL ALLY	G FORCE ENABLE INTERFACE BOX	320.00
A130254	DOC'S SHOP	SHERIFF – OIL CHANGES, BATTERY	441.73
A130255	MICHELLE EFFERTZ	JUNE TRAVEL, REIMBURSE COUNTY FAIR SUPPLIES	123.31
A130256	ELECTRONIC COMMUNICATIONS	UNIT S-22 – SOLENOID, 50A BREAKER, ROCKER SWITCH	3,326.00
A130257	ELECTION SYSTEMS & SOFTWARE	LAYOUT, CODING, M-100 BATTERY	6,623.93
A130258	GARRISON DIVERSION	DISBURSE MONTHLY COLLECTIONS	2,822.35
A130259	GERARD GOVEN	JUNE WATER BOARD MEETING/ TRAVEL	584.80
A130260	SHANNON JEFFERS	JUNE WATER BOARD MEETINGS/ TRAVEL	1,918.70
A130261	RICHARD JOHNSON	REIMBURSE DOT VEHICLE LICENSES, CELL PHONE REIMBURSEMENT	36.50
A130262	BETH KNUTSON	NACRC CONFERENCE TRAVEL	335.00
A130263	DOUG KREBSBACH	JUNE TRAVEL	27.00
A130264	M & M SPORTING	8 SLINGS, SIGHTS, FLASHLIGHTS, RAILS – SHERIFF	6,800.00
A130265	MCLEAN FAMILY RESOURCE CTR	DISBURSE MONTHLY COLLECTIONS	475.00
A130266	MCLEAN COUNTY AUDITOR	COUNTY AGENT – JUNE POSTAGE	92.06
A130267	ND ASSOCIATION OF COUNTIES	DISBURSE 15% E-911 COLLECTIONS, PRE-EMPLOYMENT DRUG TESTING	1,593.51
A130268	NELSON AUTO CENTER	2016 FORD EXPEDITION	31,287.00
A130269	NW TIRE	TIRES – SHERIFF	493.72
A130270	LYNN OBERG	JUNE WATER BOARD MEETINGS/ TRAVEL	1,843.44
A130271	OFFICE DEPOT	SHARPIES, LEGAL PADS, LABELS, HP INK CARTRIDGES, HIGHLIGHTERS, ENVELOPES, PACKING TAPE, HP TONER	622.91
A130272	OTTERTAIL POWER COMPANY	BUTTE, TURTLE LAKE, WASHBURN & MAX SHOPS, COURTHOUSE, RADIO TOWER, LAW ENFORCEMENT CENTER	5,365.65
A130273	QUILL CORP	PRINTMASTER PREMIUM – SHERIFF	84.58
A130274	SCOTT'S HARDWARE	FILTER FOR AIR HANDLER, OIL FOR	118.06

		GENERATOR, ROUND UP, ADHESIVE, PADLOCK, VELCRO, NYLON BRAID ROPE, LIGHTERS	
A130275	SRT COMMUNICATIONS, INC	ASSESSOR CELL SERVICE	61.04
A130276	ND STATE TREASURER	DISBURSE MONTHLY COLLECTIONS	2,515.76
A130277	THE ATTIC SPORTSMANS LOFT	AMMUNITION	725.00
A130278	THIRD WATCH COMMUNICATIONS	INSTALL & LABOR – SHERIFF	9,747.50
A130279	UNICOM	GRAPHICS – PATROL CARS	2,123.75
A130280	WASHBURN AUTO BODY LLC	UNIT S-11 REPAIRS – SHERIFF	4,680.75
A130281	GLENN WIEST	TRAINING IN NEW TOWN	90.10
	JUNE PAYROLL	A detailed list of payroll funds expended is available for public inspection anytime during regular business hours in the McLean County Auditor’s office.	\$340,442.59

Roll Call Vote: Aye: Krebsbach, Suydam, and Lee. Nay: None. Motion carried.

Sheriff J. R. Kerzmann and Chief Deputy Sheriff/E-911 Coordinator Richard Johnson joined the meeting.

Discussion was held regarding the replacement of old firearms using the Drug Enforcement Account.

Moved by Suydam, seconded by Krebsbach, to approve the purchase of eight firearms and accessories as submitted for the purchase price of \$6,800.00. Roll Call Vote: Aye: Krebsbach, Suydam, and Lee. Nay: None. Motion carried.

Johnson requested permission to purchase three new radios for the purchase price of \$12,154.50 using E-911 funding.

Moved by Krebsbach, seconded by Suydam, to approve the purchase of three Motorola APX6500 mobile radios for a total of 12,154.50 radios. Roll Call Vote: Aye: Krebsbach, Suydam, and Lee. Nay: None. Motion carried.

Johnson then requested permission to purchase Microsoft Office, Webroot antivirus, Netmotion and Verizon data cards for Toughbooks purchased through Surplus Property.

Moved by Krebsbach, seconded by Suydam, to approve the purchase of Microsoft Office, Webroot antivirus, Netmotion and Verizon data cards as presented. Roll Call Vote: Aye: Krebsbach, Suydam, and Lee. Nay: None. Motion carried.

Discussion was held regarding prisoner housing fees and the purchase of a van for prisoner transport.

The Chairperson recessed the meeting at 9:35 a.m.

The Chairperson opened a bond hearing at 10:00 a.m.

Scott Wegner of Arntson, Steward, Wegner PC, Bismarck, was present to discuss the County’s assistance in a bond issuance matter for Garrison Memorial Hospital (GMH). Catholic Health Initiatives (CHI) which owns GMH, is proposing to have a series of bonds issued by the Colorado Health Facilities Authority this summer and is currently considering applying a portion of those proceeds to the acquisition of GMH and a few small capital projects in the county. In order to do so, for federal tax purposes, they need to obtain “host approval” from an appropriate jurisdiction and would like the county to be that jurisdiction and assist them in obtaining this approval. There is no financial obligation to the county and there was no one present in opposition to this request.

Moved by Suydam, seconded by Krebsbach, to approve the following resolution:

RESOLUTION 2016-2

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
McLEAN COUNTY, NORTH DAKOTA CONCERNING REVENUE
BONDS, SERIES 2016 (CATHOLIC HEALTH INITIATIVES) TO BE
ISSUED BY THE COLORADO HEALTH FACILITIES AUTHORITY.

WHEREAS, the Board of County Commissioners (the “Board”) of McLean County, North Dakota (the “County”) has received a request from Catholic Health Initiatives, a nonprofit corporation organized and existing under the laws of the State of Colorado (“CHI”), to approve the issuance by the Colorado Health Facilities Authority (“COHFA”) of its Revenue Bonds, Series 2016 (Catholic Health Initiatives) in one or more series (the “Bonds”), the proceeds of which will be loaned to CHI.

WHEREAS, a portion of the proceeds of the Bonds in an amount not to exceed \$15,000,000 will be used to finance or refinance the cost of the acquisition by CHI of certain health care and related facilities of St. Alexius Medical Center and its subsidiaries and affiliates (collectively, “SAMC”), including Garrison Memorial Hospital (“GMH”), as well as certain costs of constructing, renovating and equipping those facilities (collectively, the “Local Projects”);

WHEREAS, the “Local Projects” are owned and operated by CHI, SAMC, GMH and/or their subsidiaries or affiliates and are located at the following addresses within the County: 1177 Border Ln, Washburn; 220 5th Ave., Turtle Lake, North Dakota; and 407 3rd Ave. SE and 121 5th St. SE, Garrison, North Dakota;

WHEREAS, the principal of and interest on the Bonds will not constitute a debt of COHFA or the County, nor shall the Bonds be payable from a tax of any nature levied upon any property within the County more within any other political subdivision of the State of North Dakota. The Bonds will be payable only from the revenues and resources of CHI;

WHEREAS, the Internal Revenue Code of 1986, as amended, (the “Code) authorizes the issuance of revenue bonds for a “qualified 501(c)(3) entity,” such as CHI;

WHEREAS, Section 147(f) of the Code requires that qualified 501(c)(3) bonds be approved by the applicable elected representatives of the governmental unit having jurisdiction over the area in which the Local Projects are located;

WHEREAS, CHI has requested that the County provide its approval in accordance with the requirements of Section 147(f) of the Code;

WHEREAS, pursuant to the requirements of Section 147(f) of the Code, the Chairperson of the Board (the “Board Chair”), as the applicable elected representative of the governmental unit having jurisdiction over the area in which the Local Projects are located (the County), will consider the approval of the issuance of the Bonds COHFA to provide for the financing or refinancing of the Local Projects following a public hearing;

WHEREAS, the Board has conducted a public hearing regarding the issuance of the Bonds after public notice thereof was published in the *McLean County Independent* on June 15, 2016, and at that hearing invited oral and written comments from the public;

WHEREAS, the County now finds that it would be in the best interest of the County to approve of the issuance of the Bonds by COHFA to provide for the financing or refinancing of the Local Projects.

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF McLEAN COUNTY, NORTH DAKOTA RESOLVES, AS FOLLOWS:

Section 1. Having held the public hearing, the Board approves of the issuance of the Bonds by COHFA to provide for the financing or refinancing of the Local Projects and authorizes the Board Chair, as the applicable elected representative of the governmental unit having jurisdiction over the area in which the Local Projects are located, to approve of the issuance of the Bonds by COHFA to provide for the financing or refinancing of the Local Projects.

Section 2. The Bonds shall not constitute a change, lien or encumbrance, legal or equitable, upon any property of the County and this approval is given only for the purpose of Section 147(f) of the Code; it is not intended nor should it be construed to be any review or approval by the Board Chair, the Board of the County of the credit of CHI or any type of guaranty by the Board Chair, the Board or the County of repayment of the Bonds.

Section 3. The Board Chair, the County Auditor, the County Clerk and other officers, employees and agents of the County are hereby authorized to assist COHFA, CHI and their respective counsel, and bond counsel, in preparation of documents relating to the Bonds.

Section 4. The provisions of this Resolution are hereby declared to be severable, and if any section, phrase or provision shall, for any reason, be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Resolution.

Section 5. All resolutions, orders or parts thereof in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed.

Section 6. It is found and determined that all formal actions of the Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Board, and that all deliberations of the Board and of its committees, if any, that resulted in such formal action occurred in meetings open to the public, all in compliance with applicable law and the rules of the Board.

Section 7. This Resolution shall take effect immediately upon its adoption by the Board.

ADOPTED this 5th day of July, 2016.

I hereby certify that the foregoing Resolution is a true and correct copy of the Resolution presented to and adopted by the Board of County Commissioners of McLean County, North Dakota at a duly authorized meeting thereof held on the 5th date of July, 2016, as shown by the minutes of said meeting in my possession.

Secretary of the Board of County Commissioners
of McLean County, North Dakota

Lee stated that this is a great opportunity to provide improved medical services to the county. Roll Call Vote: Aye: Krebsbach, Suydam, and Lee. Nay: None. Motion carried.

The Chairperson adjourned the public hearing and reconvened the County Commission meeting at 10:09 a.m.

There being no further business, the chairperson declared the meeting adjourned at 10:09 a.m. The commission minutes and agenda can be found on the county website <http://www.mcleancountynd.gov>.

Steve Lee, Chairperson

Nancy Leidholm, Deputy Auditor