

McLean County Commission Proceedings

Tuesday, July 6, 2021

The first regular July meeting of the Board of Commissioners was called to order at 8:30 a.m. by Chairperson Barry Suydam. Present were Commissioners Suydam, Steve Cottingham, and Steve Lee. Also present were Auditor Beth A. Knutson, Highway Superintendent Jim Grey, Deputy Auditor Diane L. Blumhagen, Land Use Administrator Todd Schreiner, Property Appraiser Elizabeth Patterson, Risk Management Officer Noelle Kroll, Mike Rivinius of Wold Engineering, and James C. Falcon, Editor, McLean County Independent.

Moved by Lee, seconded by Cottingham, to approve the minutes of the previous meeting as submitted. Lee amended his previous motion to include the minutes from the previous regular meeting held on June 15, 2021 and the special meeting held on June 28, 2021. Roll Call Vote: Aye: Cottingham, Lee, and Suydam. Nay: None. Motion carried.

Knutson requested to amend the commission minutes from May 4, 2021, to include the filing of Recorder and Sheriff's fees for April as follows:

Received and ordered filed the fee collection report from the Recorder's Office in the amount of \$10,360.40 for the month of April.

Received and ordered filed the fee collection report from the Sheriff's Office in the amount of \$1,250.04 for the month of April.

Knutson also requested to amend the commission minutes from June 1, 2021 to include the filing of Sheriff's Department fees for May as follows:

Received and ordered filed the fee collection report from the Sheriff's Office in the amount of \$899.54 for the month of May.

Moved by Lee, seconded by Cottingham, to approve amending the May 4, 2021, and June 1, 2021, commission minutes to include the submission of the Recorder's and Sheriff's fees. Roll Call Vote: Aye: Lee, Cottingham, and Suydam. Nay: None. Motion carried.

Grey was present with an update on department operations. He reported that he found a tandem-axle dump truck to purchase from Christopher Pfeifer, who is a county employee. The purchase price is \$25,000.00.

Moved by Cottingham, seconded by Lee, to approve the purchase of the tandem-axle dump truck from Christopher Pfeifer for \$25,000.00. Roll Call Vote: Aye: Cottingham, Lee, and Suydam. Nay: None. Motion carried.

Grey reported that the work on 50th Avenue NW has been completed. Mowing of ditches was discussed with a decision made to hold off mowing until the middle of August. Grey reported the furnace at the Washburn Shop has a cracked chamber in it and he will be getting a few estimates to replace heating and cooling at the Washburn Shop.

Grey also reported that a garage door opener at the Washburn Shop stopped working and the replacement cost is \$1,400.00.

Moved by Lee, seconded by Cottingham, to approve the Highway Department purchase of a new garage door opener. Roll Call Vote: Aye: Lee, Cottingham, and Suydam. Nay: None. Motion carried.

Rivinius recommended the commission change County Road 4 back to a County Major Collector (CMC) Route. In 2015, County Road 4 went under water and the CMC Route had to be changed to maintain connectivity for the Federal Aid System. Rivinius prepared a documentation to return County Road 4 back to the original CMC Route. Discussion followed.

Moved by Cottingham, seconded by Lee, to approve submitted documentation to change County Road 4 back to a CMC Route. Roll Call Vote: Aye: Cottingham, Lee, and Suydam. Nay: None. Motion carried.

Rivinius reported that milling on County Road 9 is scheduled to start July 8, 2021, with paving to follow. Discussion followed.

Kroll was present with the Risk Management accident statistics for the period of January 1, 2021 through June 30, 2021, showing five accidents needing medical attention and eight accidents not requiring medical attention.

Kroll discussed the McLean County Multi-Hazard Mitigation Plan. The plan needs to be updated every five years, with the last one being completed in 2016. Updating the plan requires contacting each city to see if mitigation items have been completed, along with holding public meetings. Kroll received bids plan updating which range from \$17,000.00 to \$49,000.00, with a 15% grant match.

Moved by Cottingham, seconded by Lee, to approve updating the McLean County Multi-Hazard Mitigation Plan. Roll Call Vote: Aye: Lee, Cottingham, and Suydam. Nay: None. Motion carried.

Moved by Lee, seconded by Cottingham, to approve applying for the matching grant. Roll Call Vote: Aye: Cottingham, Lee, and Suydam. Nay: None. Motion carried.

Schreiner and Patterson presented recommendations from the Planning and Zoning Commission Meeting held on June 21, 2021.

Moved by Lee, seconded by Cottingham, to concur with the Planning and Zoning Commission and approve the zoning change application submitted by DeeAnn Lawry, of Garrison, ND, involving land located in SE¼NE¼ of Section 16, Township 148 North, Range 86 West, more specifically identified as Outlot B containing 1.58 acres. Roll Call Vote: Aye: Lee, Cottingham, and Suydam. Nay: None. Motion carried.

Moved by Lee, seconded by Cottingham, to concur with the Planning and Zoning Commission and approve the Conditional Use Permit requested by Derek Fiedler, of Mercer, ND, involving land located in the NW¼SW¼ of Section 14, Township 147 North, Range 79 West, containing 4.0 acres. Roll Call Vote: Aye: Cottingham, Lee, and Suydam. Nay: None. Motion carried.

Knutson updated the commissioners on the application for the Federal Land Access Program (FLAP) for 50th Ave NW which was submitted by the deadline of June 23, 2021.

Knutson presented for amendment a previously approved Special Event Permit issued to Hometown Tavern and Bottle Shop, of Garrison. They had a change of venue from the Busted Knuckle to Cricket on the Hearth for the event set for September 4, 2021.

Moved by Cottingham, seconded by Lee, to approve the change of venue from the Busted Knuckle to Cricket on the Hearth. Roll Call Vote: Aye: Lee, Cottingham, and Suydam. Nay: None. Motion carried.

Chief Deputy Auditor Lori Foss joined the meeting.

Knutson presented a Notice of Access Easement Vacation for a 25-foot access easement located within Lot 8 of Stute's Blue Lake Resort 1st Addition submitted by David Lindell on behalf of Larry Stute. Lindell requested the hearing to be set for 10:00 a.m. on August 3, 2021.

Moved by Lee, seconded by Cottingham, to set the Access Easement Vacation Hearing for 10:00 a.m. on August 3, 2021. Roll Call Vote: Aye: Cottingham, Lee, and Suydam. Nay: None. Motion carried.

Jim Grey joined the meeting.

Knutson discussed the current condition of the Conklin Cemetery. According to Century Code if a cemetery is abandoned, the county is responsible for maintaining the property. Knutson reached out to Mike Thyberg who stated there isn't anyone available to take care of this cemetery anymore. Discussion followed.

Moved by Lee, seconded by Cottingham, to approve McLean County maintaining the Conklin Cemetery. Discussion followed. Roll Call Vote: Aye: Lee, Cottingham and Suydam. Nay: None. Motion carried.

Knutson and Foss discussed Policy 305 – Holidays with the commissioners. The President of the United States declared June 19, 2021, as a Federal holiday to be named Juneteenth. North Dakota State Governor Doug Burgum declared it a day of celebration. Discussion followed whether to add Juneteenth to the list of observed holidays or to change the line of policy which reads "Any other day appointed by the President of the United States or Governor of State of North Dakota". Discussion followed.

Moved by Lee, seconded by Cottingham, to change the wording to "Any other day appointed by the President of the United States *and* Governor of State of North Dakota" in Policy 305 - Holidays. Discussion followed. Roll Call Vote: Aye: Cottingham, Lee and Suydam. Nay: None. Motion carried.

Foss discussed Policy 1300-COVID 19 – Families First Coronavirus Response Act Leave with the commissioners. She explained that they could either extend the current policy or let it expire on June 30, 2021. Discussion followed to allow the policy to expire.

Moved by Lee, seconded by Cottingham, to remove expired Policy 1300-COVID 19 – Families First Coronavirus Response Act Leave from the policy manual. Roll Call Vote: Aye: Lee, Cottingham, and Suydam. Nay: None. Motion carried.

Knutson presented a Gaming Site Authorization application from the Strawberry Lake Improvement Association with location of Strawberry Kooler & Association Building to include Bingo, Pull Tab Dispensing Device, Electronic Pull Tab Device, Twenty-one, and Poker.

Moved by Cottingham, seconded by Lee, to approve the Gaming Site Authorization Application from the Strawberry Lake Improvement Association for gaming at the Strawberry Kooler & Association Building. Roll Call Vote: Cottingham, Lee, and Suydam. Nay: None. Motion carried.

Discussion followed regarding Chairperson Suydam stepping down from the Coal Conversion County Board. Knutson stated a new board member appointment is needed. Discussion followed.

Moved by Lee, seconded by Suydam, to appoint Commissioner Cottingham to the Coal Conversion County Board. Discussion followed. Roll Call Vote: Aye: Lee, Cottingham, and Suydam. Nay: None. Motion carried.

Knutson presented the commission the policing contract for 2022 from the City of Riverdale for signing.

Knutson presented the commission the policing contract for 2022 from the City of Washburn for signing.

Knutson presented the Detention Service Agreement renewal. The renewal agreement has a rate of \$284.98/day for 24 months.

Moved by Lee, seconded by Cottingham, to approve the Detention Service Agreement renewal for 24 months. Roll Call Vote: Aye: Cottingham, Lee, and Suydam. Nay: None. Motion carried.

Received and ordered filed the fee collection report from the Recorder's Office in the amount of \$10,176.10 for the month of February.

Received and ordered filed the fee collection report from the Sheriff's Office in the amount of \$876.60 for the month of February.

Received and ordered filed the fee collection report from the Recorder's Office in the amount of \$33,188.40 for the month of June.

Received and ordered filed the fee collection report from the Sheriff's Office in the amount of \$987.67 for the month of June.

Chairperson Suydam recessed the meeting at 9:22 a.m.

Chairperson Suydam reconvened the meeting at 9:45 a.m.

Knutson presented the following proposed departmental budgets for 2022 for the commission's review:

- Utilities showing a decrease in Electricity from \$100,000.00 to \$95,000.00, Natural Gas increased from \$12,000.00 to \$13,000.00, Water/Sewer/Garbage increased from \$16,000.00 to \$20,000.00, and Telephone increased from \$25,000.00 to \$30,000.00 with total budget presented, \$158,000.00;
- Special Assessed Owed by County with no changes, total budget presented, \$0.00;
- Non-Departmental Expenses showing a decrease in Financial Audit from \$13,000.00 to \$300.00, adding a line item for Presort Plus-Elections for \$5,000.00, adding a line item for Presort Plus-Tax Notices for \$12,000.00, increasing Presort Plus-Miscellaneous from \$0.00 to \$30,000.00, decreasing Postage from \$35,000.00 to \$0.00, increasing Notary Expenses from \$500.00 to \$1,000.00, increasing Central Supply from \$10,000.00 to \$12,000.00 and decreasing Furniture/Equipment from \$30,000.00 to \$25,000.00 with total budget presented, \$262,300.00;
- Election Expenses showing an increase in Primary Election from \$500.00 to \$40,000.00, increase in General Election from \$500.00 to \$40,000.00, total budget presented, \$80,000.00;
- County Auditor showing an increase in Salaries from \$201,374.71 to \$214,188.43 and Miscellaneous decreasing from \$20,000.00 to \$0.00, total budget presented, \$216,188.43;
- Dues and Memberships showing a decrease in Coal Conversion County from \$2,000.00 to \$1,500.00, increase in NDA Co from \$11,500.00 to \$11,594.00, increase in Lewis & Clark Regional Development Council from \$12,048.90 to \$12,435.74, increase in County Agent from \$250.00 to \$300.00, increase in Recorder from \$300.00 to \$400.00, decrease in States Attorney from \$800.00 to \$600.00, increase in Veteran's Service Officer from \$250.00 to \$300.00 with total budget presented, \$34,530.74;
- Employee Benefits showing a decrease in Medical Insurance from \$1,320,000.00 to \$1,100,000.00, increase in Employee FICA from \$215,000.00 to \$235,000.00, increase in Employee Medicare from \$52,000.00 to \$55,000.00, increase in Retirement from \$540,000.00 to \$575,000.00, increase in Workforce Safety Insurance from \$70,000.00 to \$75,000.00, increase in Unemployment Compensation from \$10,000.00 to \$20,000.00 and increase in Service Award-Retirement Etc. from \$0.00 to \$1,000.00 with total budget presented, \$2,107,650.00;
- County Commissioners showing an increase in Salaries from \$58,464.36 to \$61,11.74 and Travel increased from \$3,500.00 to \$4,500.00, total budget presented, \$66,314.74;
- General Fund – Unorganized Townships with no changes, total budget presented, \$500,000.00;
- School Resource Officer – Garrison Expenditures showing increase in Salary from \$54,410.95 to \$56,206.51, decrease in Health Insurance from \$24,500.00 to \$21,343.20, increase in FICA from \$3,400.00 to \$3,500.00, increase in Medicare from \$800.00 to \$850.00, and decrease in Unemployment from \$325.00 to \$300.00 with total budget presented, \$91,203.07;
- Emergency – Liabilities showed an increase from \$0.00 to \$100,000.00, total budget presented, \$100,000.00 and,
- First District Health Unit showed an increase in the Mill Levy from \$1,398,789.00 to \$1,400,182.00, increase in Covid-19 from \$0.00 to \$650,000.00, decrease in HIV from \$55,000.00 to \$50,000.00, decrease in Opioid from \$100,000.00 to \$80,000.00, increase in Family Planning from \$72,000.00 to \$86,000.00, increase in Health Alert Network from \$24,000.00 to \$25,000.00, decrease in Immunizations from \$25,000.00 to \$20,000.00, decrease in WIC from \$408,000.00 to \$402,000.00, increase in TB from \$1,000.00 to \$4,000.00, decrease in Baby & Me from \$3,000.00 to \$2,876.00, decrease in State Aid from \$338,000.00 to \$332,556.00, decrease in Tobacco from \$317,604.00 to \$299,915.00, increase in Donations from \$2,500.00 to \$3,500.00, decrease in Contract for Services from \$320,000.00 to \$250,000.00, decrease in Medicaid from \$75,000.00 to \$50,000.00, decrease in Medicare from \$335,000.00 to \$310,000.00, decrease in Grants from \$35,000.00 to \$0.00, and decrease in Consumer Fees from \$1,725,000.00 to \$1,500,000.00 with total budget presented, \$5,980,029.00.

Commission requested a separate line item for Rental Expense for space occupied by NDSU Extension office and a line item for the Highway Department relocation be brought to the next meeting.

Sheriff J.R. Kerzmann joined the meeting.

Greg DeHaven, of Garrison, joined the meeting.

Chairperson Suydam opened the public hearing at 10:00 a.m. for the Petition to Vacate a Street in Lakeview Estates and Lakeview Estates Third Subdivision.

Knutson presented a Petition to Vacate a Street, for part of Ireland Avenue lying between Lot 1, in Block 2, Lakeview Estates and Lot 1, in Block 5, of Lakeview Estates Third Subdivision, McLean County, North Dakota. DeHaven inquired about where the traffic would turn-around if the street was vacated. Knutson placed a phone call to Debra Howe to clarify questions from the commissioners.

Discussion followed to move the line 50' North of the SE Corner of Lot 1, in Block 2, of Lakeview Estates and lying between Lot 1, in Block 2, Lakeview Estates and Lot 1, in Block 5, of Lakeview Estates Third Subdivision.

Moved by Lee, seconded by Cottingham, to approve amending the Vacate the Street as follows; part of Ireland Avenue located 50' North of the SE Corner of Lot 1, in Block 2, of Lakeview Estates and lying between Lot 1, in Block 2, Lakeview Estates and Lot 1, in Block 5, of Lakeview Estates Third Subdivision. Roll Call Vote: Aye: Cottingham, Lee, and Suydam. Nay: None. Motion Carried.

Moved by Lee, seconded by Cottingham, to approve vacating the street with amendment as described above. Roll Call Vote: Aye: Cottingham, Lee, and Suydam. Nay: None. Motion carried.

Lieutenant Justin Krohmer joined the meeting.

Courtney Hoikkala from NDSU Extension Service joined the meeting to present the proposed budget for 2022 for County Agent with a decrease in Salaries-Agents from \$53,366.00 to \$49,165.00, decrease in Salaries-Administrative Assistant from \$37,939.83 to \$0.00, increase in Travel from \$4,000.00 to \$7,000.00, increase in Cell Phone from \$720.00 to \$1080.00, increase in Postage from \$1,000.00 to \$1,500.00 and increase in Office Supplies/Ribbons/Paper from \$2,000.00 to \$3,000.00 with total budget proposed \$64,445.00.

Water Resource Board Members Lynn Oberg and Shannon Jeffers joined the meeting.

Oberg and Jeffers updated the commission on the projects including the Painted Woods Creek and City of Washburn projects, along with past projects in the cities of Max, Garrison, Coleharbor, and Underwood. Jeffers discussed the Washburn project more in depth.

Foss presented the following proposed departmental budgets for 2022 for the commission's review:

- Flexible Benefits – Medical and Child Care with a decrease in Administrative Fees from \$2,000.00 to \$1,787.50, total budget proposed, \$1,750.00;
- GIS Implementation with no change, total budget proposed, \$0.00;
- Superintendent of Schools with an increase in Salaries from \$2,465.64 to \$2,613.58, total budget proposed, \$5,613.58 and,
- Computer Operations with an increase in Salaries from \$73,216.19 to \$79,447.97, decrease in Ink and Toner from \$1,000.00 to \$750.00, decrease in Equipment Repair from \$1,000.00 to \$750.00, increase in Dakota Programs Maintenance from \$13,317.00 to \$13,583.00, decrease in Armor Annual Tech Contract from \$20,400.00 to \$18,972.00, increase in Active Directory Accounts from \$162.00 to \$227.00, increase in Exchange E-Mail Accounts from \$445.20 to \$3,180.00, decrease in Anti-Virus Protection from \$800.00 to \$650.00 and decrease in Capital Outlay from \$33,950.00 to \$28,375.00 with total budget presented, \$157,875.00.

Moved by Cottingham, seconded by Lee, to approve the following vouchers for payment:

A detailed list of checks is available for public inspection anytime during regular business hours in the McLean County Auditor's Office.

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

Knutson presented the budget narrative for period ending June 30, 2021. She presented data showing property tax collections are at 93% collected including 97% with discount for 2021 or \$18,158,322.63; Government Reimbursement revenues totaled \$1,538,219.53 compared to \$1,535,189.71 in 2020; Fees and Miscellaneous revenues totaled \$992,539.13 compared to \$895,465.26 in 2020; and expenditures were at 37.64% of total budget for 2021.

Knutson presented the current list of delinquent tax payers showing 40 taxpayers owing more than \$4,000.00

There being no further business, the chairperson declared the meeting adjourned at 11:30 a.m. until the next regularly scheduled meeting on Tuesday, July 20, 2021. The commission minutes and agenda can be found on the county website at <http://www.mcleancountynd.gov>.

Barry Suydam, Chairperson

Diane L. Blumhagen, Deputy Auditor