

McLean County Commission Proceedings

Tuesday, December 07, 2021

The first regular December meeting of the Board of Commissioners was called to order at 8:40 a.m. by Chairperson Barry Suydam. Present were Commissioners Suydam, Steve Cottingham, and Steve Lee. Also present were Auditor Beth A. Knutson, Deputy Auditor Diane L. Blumhagen, Highway Superintendent Jim Grey, Wold Engineering representative Mike Rivinius, and James C. Falcon, McLean County Independent Editor.

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

Grey was present with an update on department operations, reporting that work continues on tree projects. Grey received an estimate for \$2,250.00 for the replacement of five outside lights at the Garrison shop that are no longer working. Knutson discussed an Energy Conservation Grant from the North Dakota Department of Commerce which could possibly assist in the replacement of the shop's lights. Knutson will reach out to the North Dakota Department of Commerce for stipulation clarification and bring information to the next commission meeting.

Grey informed the commissioners that Equipment Operator III Mark Koelzer is retiring. Grey requested to advertise in-house for the open position and possibly utilize the existing pool of active applicants to fill a possible vacancy as an Equipment Operator II if filled in-house.

Moved by Lee, seconded by Cottingham, to authorize advertising in-house for one or more Equipment Operator III (EOIII) positions and to possibly use the existing pool of applicants to fill a possible open Equipment Operator II position if EOIII is filled in-house. Roll Call Vote: Aye: Lee, Cottingham, and Suydam. Nay: None. Motion carried.

Rivinius presented the commissioners with the results of a legislative bill passed during the Special Session of the North Dakota State Legislature regarding authorization of funds to be used on county roads. Currently the preliminary amount authorized for McLean County was \$2,167,218.00. Part of the bill passed set aside \$25,000,000.00 for bridge projects, which includes an application process. Rivinius stated there are three bridges in the county that he believes would qualify for the project. Discussion followed.

Chief Deputy Auditor Lori Foss joined the meeting for the first reading of proposed personnel policy changes, specifically creating the Policy 1300 – Volunteer Firefighter. The policy was created to govern volunteer firefighters who are employed by the county. The policy was drafted with assistance of the Workforce Safety Insurance division of ND Association of Counties. Discussion followed.

Knutson explained changes in the legislative district boundaries and the county commission districts as set by the Redistricting Board on November 30, 2021. Discussion followed.

Knutson called for nomination of officers for Commission Chairperson and Vice-Chairperson for the upcoming year.

Moved by Cottingham, seconded by Suydam, to nominate and elect Steve Lee as Commission Chairperson effective immediately. Roll Call Vote: Aye: Cottingham and Suydam. Nay: None. Motion carried. Lee abstained from voting.

Moved by Lee, seconded by Suydam, to nominate and elect Steve Cottingham as Vice-Chairperson effective immediately. Roll Call Vote: Cottingham, Suydam, and Lee. Nay: None. Motion carried.

Moved by Cottingham, seconded by Suydam, to approve William Carlson, James Grey, Curt Malo, and Vance Tomlinson as 2022 Commuter Benefit Employees. Roll Call Vote: Aye: Suydam, Cottingham, and Lee. Nay: None. Motion carried.

Moved by Suydam, seconded by Cottingham, to approve the 2022 County Commission Meeting dates. Discussion followed. Roll Call Vote: Aye: Cottingham, Suydam, and Lee. Nay: None. Motion carried.

Director of Disaster Emergency Services/Risk Manager Noelle Kroll joined the meeting.

Carron Day and Stuart Merry, Mayor of Garrison, joined the meeting via phone.

Kroll and Day displayed a PowerPoint presentation updating the commissioners on the current status of the Multi-Hazard Mitigation Plan. Discussion followed.

Kroll informed the commissioners that a 2021 Homeland Security Grant in the amount of \$21,320.00 has been awarded to the county. The grant includes funds for a functional exercise and 10 keypad door locks for the courthouse.

Moved by Cottingham, seconded by Suydam, to accept the grant award of \$21,320.00 for the functional exercise and purchase of 10 keypad door locks for the courthouse. Discussion followed. Roll Call Vote: Aye: Suydam, Cottingham, and Lee. Nay: None. Motion carried.

Foss rejoined the meeting.

Chief Deputy Sheriff Richard Johnson joined the meeting requesting approval of payment for unused vacation over 240 hours through payroll for correctional employees due to staffing shortages as a result of COVID. Foss presented the following payment information to commission review: Casey Howe would receive 127.25 hours totaling \$3,150.71; Anna Six would receive 105.00 hours totaling \$2,680.91; Jeff Turning Heart Jr. would receive 122.75 hours totaling \$2,601.56; and James Valandra would receive 125.00 hours totaling \$2,973.15. Discussion followed.

Moved by Cottingham, seconded by Suydam, to approve the vacation payout as defined above utilizing American Rescue Plan Act of 2021 funds if possible. Discussion followed. Roll Call Vote: Aye: Cottingham, Suydam, and Lee. Nay: None. Motion carried.

Johnson requested approval to purchase taser equipment from Axon Enterprise, Inc., at a cost of \$1,805.31. The quote included taser batteries, targets, holsters, and 20 training cartridges.

Moved by Suydam, seconded by Cottingham, to approve the purchase of taser supplies from Axon Enterprise, Inc., at a total cost of \$1,805.31. Roll Call Vote: Aye: Suydam, Cottingham, and Lee. Nay: None. Motion carried.

Johnson discussed the Medical Director Contract for 2022. He stated that Washburn & Underwood Clinics have not renewed their contract for 2022. Johnson requested approval from the commissioners to offer the contract to Art Renner, PA-C, of Garrison, for the amount of \$2,000.00 which will cover Renner's liability insurance. Renner will be paid \$80.00 per hour and clinic visits will be completed at the McLean County Law Enforcement Center. Discussion followed.

Moved by Cottingham, seconded by Suydam, to approve the Medical Director Contract for 2022 with Art Renner, PA-C, of Garrison, for the amount of \$2,000.00. Discussion followed. Roll Call Vote: Aye: Cottingham, Suydam, and Lee. Nay: None. Motion carried.

Johnson mentioned the first facility inspection conducted by the North Dakota Department of Corrections and Rehabilitation with Assistant Jail Administrator Casey Howe in charge was received back with zero noncompliance issues.

Knutson presented the Pledge of Securities received from Farmers Security Bank of Washburn, ND. The total public deposits on November 30, 2021, were \$11,845,995.28 and the total pledged securities were \$12,268,494.76.

Moved by Cottingham, seconded by Suydam, to approve the Pledge of Securities received from Farmers Security Bank. Roll Call Vote: Aye: Suydam, Cottingham, and Lee. Nay: None. Motion carried.

Knutson discussed scheduling the annual township meetings. Commission agreed to set meetings for Wednesday, January 12, 2022, with a morning meeting in Turtle Lake and an afternoon meeting in Garrison.

Knutson requested approval of voting precincts and polling locations as follows:

Resolution Establishing County Election Precincts and
Polling Locations Beginning January 1, 2022

Be it resolved, the McLean County Board of Commissioners does hereby establish six (6) election precincts within and for said McLean County, effective January 1, 2022, and acknowledges that said McLean County is keeping in the guidelines established by the 2002 Help America Vote Act (HAVA).

Be it further resolved, that McLean County shall have conduct vote by mail elections in 2022. The precincts and polling locations are as follows:

▪ Precincts:

- 280801 Legislative District 8 - McLean County
- 280401 Legislative District 4B - McLean County Less 280402
- 280402 Legislative District 4A - McLean County-Fort Berthold Reservation
- 280601 Legislative District 6 - McLean County-South McLean SCD
- 280602 Legislative District 6 - McLean County-West McLean SCD
- 283301 Legislative District 33 - McLean County

▪ Polling Locations:

- Vote Centers (all ballots available to any qualified McLean County voter)
 - Washburn Memorial Hall, 805 Main Ave, Washburn, ND 58577
 - Garrison City Auditorium, 15 Main St S, Garrison, ND 58540
 - American Legion Auditorium, 23 2nd Ave East, Turtle Lake, ND 58575
- Polling Place (ballots only available to Precinct 280402 voters)
 - Arikara Cultural Center, 201 Sahnish Dr, White Shield, ND 58540

Dated this 7th day of December, 2021, at Washburn, North Dakota.

ATTEST:

Steve Lee, Chairperson
McLean County Commission

Beth A. Knutson
McLean County Auditor

Moved by Cottingham, seconded by Suydam, to approve the new voting precincts and polling locations. Roll Call Vote: Aye: Suydam, Cottingham, and Lee. Nay: None. Motion carried.

Received and ordered filed the fee collection report from the Recorder's Office in the amount of \$11,774.60 for the month of November.

Received and ordered filed the fee collection report from the Sheriff's Office in the amount of \$1,305.20 for the month of November.

Knutson presented the police contract with the City of Underwood to the commission for signing.

Knutson presented the 2022 Beer and Liquor License renewal application from TOTNTRL Inc., Totten Trail Bar and Grill, Coleharbor.

Moved by Cottingham, seconded by Suydam, to approve the Beer and Liquor License application from TOTNTRL Inc., Totten Trail Bar and Grill, Coleharbor. Roll Call Vote: Aye: Cottingham, Suydam, and Lee. Nay: None. Motion carried.

Johnson rejoined the meeting requesting approval to purchase tires for the Sheriff's vehicles for the amount of \$1,176. Johnson explained that he has expended the tires budget but visited with Knutson and there are other funds available for this purchase. Knutson agreed.

Moved by Suydam, seconded by Cottingham, to approve purchasing tires for the Sheriff's vehicles for the amount of \$1,176.00. Roll Call Vote: Aye: Suydam, Cottingham, and Lee. Nay: None. Motion carried.

The board signed years of service recognition certificates for the following employees: Tanner L. Altenhofen, Raymond E. Copeland, Alyce M. Goetz, Jean L. Kautzman, and Max D. Sanford III for five years; Loni A. Carlson, Donald D. Flinn, Adrian J. Grey, Scott A. Kirchmeier, and Darwin K. Saari for 10 years; Janice K. Hanson and Aaron R. Matties for 15 years; Lori A. Foss for 30 years; and Sherry J. Grey for 40 years.

Moved by Suydam, seconded by Cottingham, 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: Suydam, Cottingham, and Lee. Nay: None. Motion carried.

Moved by Cottingham, seconded by Suydam, to enter into Executive Session. Roll Call Vote: Aye: Cottingham, Suydam, and Lee. Nay: None. Motion carried.

Commissioner Lee reconvened the commission meeting at 10:15 a.m.

States Attorney Ladd Erickson joined the meeting to ask the commission to accept the default settlement offer in the Janssen and Distributor Opioid settlements, based on options explained in the Executive Session. The projected settlement amount is \$75,000.00 to \$85,000.00 with the payment schedule set to be disbursed over a number of years.

Moved by Cottingham, seconded by Suydam, to accept the settlement offer as advised by Erickson. Roll Call Vote: Aye: Suydam, Cottingham, and Lee. Nay: None. Motion carried.

Assistant Jail Administrator Wade Krohmer joined the meeting requesting approval to hire Darcy Klimpel for open Federal Prisoner Transport position.

Moved by Suydam, seconded by Cottingham, to approve hiring Darcy Klimpel for the Federal Prisoner Transport position. Roll Call Vote: Aye: Cottingham, Suydam, and Lee. Nay: None. Motion carried.

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

Knutson presented the Uncollected Tax List for years 2019-2021 showing the total amount of \$381,889.68.

Knutson presented the budget narrative for period ending November 30, 2021. She presented data showing property tax collections are at 95% collected including 99% with discount for 2021 or \$18,546,575.09; Government Reimbursement revenues totaled \$2,442,473.37 compared to \$2,202,603.60 in 2020; Fees and Miscellaneous revenues totaled \$1,731,014.00 compared to \$3,889,493.19 in 2020; and expenditures were at 77.80% of total budget for 2021.

There being no further business, the chairperson declared the meeting adjourned at 10:22 a.m. until the next regularly scheduled meeting on Tuesday, December 28, 2021. The commission minutes and agenda can be found on the county website at <http://www.mcleancountynd.gov>.

Steve Lee, Chairperson

Diane L. Blumhagen, Deputy Auditor