

McLean County Commission Proceedings
Tuesday, March 5, 2024

The first regular March meeting of the Board of Commissioners was called to order at 8:31 a.m. by Chairperson Steve Cottingham. Present were Commissioners Cottingham, Steve Lee, and Barry Suydam. Also present were Auditor Beth A. Knutson; Deputy Auditor Diane L. Blumhagen; Road Superintendent James Grey; Director of Disaster Emergency Services Noelle Kroll; Chief Deputy Sheriff Richard Johnson; Wold Engineering Representative Mike Rivinius; and Ryley Rettle.

Moved by Suydam, seconded by Lee, to approve the minutes of the previous regular meeting held on February 21, 2024, as submitted. Roll Call Vote: Aye: Suydam, Lee, and Cottingham. Nay: None. Motion carried.

Kroll discussed a burn restriction for McLean County. The burn restriction, if approved, would be effective immediately. Discussion followed.

Moved by Suydam, seconded by Lee, to adopt the 2024 Fire Emergency Declaration and Burn Restriction as follows:

2024 Fire Emergency Burn Restrictions
for
McLean County, North Dakota
March 5, 2024

Whereas, McLean County, North Dakota has and is expected to continue to endure periods of dry conditions with significant vegetative fuels available; and

Whereas, all available resources remain committed to protecting life and property; and

Whereas, McLean County, has either sustained or been threatened with rural fires in the past and McLean County Emergency Management Office has consulted with local fire departments; and

Whereas, the impacts of fires could threaten the health, well-being, and safety of the citizens in McLean County; and

Whereas, the cost of emergency response, inordinate equipment wear/tear and the fire damages could exceed available McLean County resources; and

Whereas, McLean County, wishes to regulate activities within McLean County, which pose a potential hazard for such loss, should the present weather conditions continue.

Now, Therefore, Be It Resolved, that the Board of McLean County Commissioners declares a Fire Emergency and Automatic Burn Restriction effective when the North Dakota Rangeland Fire Danger Rating is Very High, Extreme and/or a Red Flag Warning has been issued for McLean County, North Dakota, effective immediately through December 31, 2024.

What's Included (when the ND Rangeland Fire Danger Rating is Very High, Extreme and/or a Red Flag Warning)

No Open Burning: includes burning of leaves, grass clippings, garbage/pits, ignition of farm or crop residue/land, hay land, sloughs, construction debris, fallen trees, fireworks (ground & aerial) and campfires/bonfires/recreational fires.

What's Excluded

Controlled Devices: only when device(s) (gas, charcoal, wood-fired/pellet grills, patio fireplaces and chimineas, gas camp stoves, and smokers/pellet grills) is/are on a hard, non-organic surface and 15' away from vegetation and an extinguisher or water is available on site.

Any individual who willfully violates this burn restriction is guilty of a Class B misdemeanor (NDCC 37-17.1-10.1; maximum sentence of 30 days in jail and a \$1,500.00 fine), and restitution of fire suppression costs may be sought from the court. The McLean County Sheriff's Department is authorized to issue citations to violators.

Burning is Prohibited if the Fire Index is in Extreme Category as Issued by NWS (ND Administrative Code – Title 33.1 Article 15 Chapter 4)

The North Dakota Rural Fire Danger Guide is posted on the McLean County website: www.mcleancountynd.gov or residents can contact the McLean County Sheriff's Office at 701-462-8103.

Dated at Washburn, North Dakota this 5th day of March, 2024.

Steve Cottingham, Chairman
McLean County Commission

Attest: _____
Beth Knutson
McLean County Auditor

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

Kroll discussed two Homeland Security Grants that were awarded to McLean County. The first one is fiscal year 2021 State Homeland Security Grant Program (SHSP) for the amount of \$1,895.40, and the second one is fiscal year 2022 SHSP for the amount of \$23,164.00. For a total of \$25,059.40, with no cost share to the county. The grant funds would be used to purchase tourniquet kits, shears, AED units, and flash lights for the Sheriff's Department.

Moved by Lee, seconded by Suydam, to accept the awarded SHSP grants for the total of \$25,059.40. Roll Call Vote: Aye: Suydam, Lee, and Cottingham. Nay: None. Motion carried.

Building Maintenance Supervisor Curt Malo joined the meeting.

Johnson requested approval to hire one more Jailer/Dispatcher I, in addition to the two previously requested. Discussion followed.

Moved by Lee, seconded by Suydam, to authorize the hiring of one additional Jailer/Dispatcher I from the current pool of applicants. Roll Call Vote: Aye: Lee, Suydam, and Cottingham. Nay: None. Motion carried.

Johnson requested approval to hire one Patrol Deputy due to a resignation.

Moved by Lee, seconded by Suydam, to authorize the hiring of one Patrol Deputy. Discussion followed. Roll Call Vote: Aye: Lee, Suydam, and Cottingham. Nay: None. Motion carried.

Johnson requested permission to utilize forfeiture account funds to send Patrol Sergeant Cody Meadows to the August 25 through August 30, 2024, IAATI 72nd International Vehicle Crimes Training Conference in Orlando Florida. The expenses would be for conference fee, lodging, travel, and meals. Discussion followed.

Moved by Lee, seconded by Suydam, to approve the request as presented. Discussion followed. Roll Call Vote: Aye: Suydam, Lee, and Cottingham. Nay: None. Motion carried.

Malo requested permission to purchase a shipping container for storage to be located at the Washburn shop. The cost of the container would be \$6,000.00 plus \$600.00 for delivery. Discussion followed.

Moved by Lee, seconded by Suydam, to authorize the purchase of a storage container plus delivery not to exceed \$8,000.00. Roll Call Vote: Aye: Lee, Suydam, and Cottingham. Nay: None. Motion carried.

Grey requested to purchase 45,290 tons of Class 13 gravel at \$3.96 a ton from Sundre Sand & Gravel out of the Egger pit. Discussion followed.

Moved by Lee, seconded by Suydam, to authorize the gravel purchase at a total cost of \$179,348.40. Roll Call Vote: Aye: Suydam, Lee, and Cottingham. Nay: None. Motion carried.

Grey discussed shifting the department to a four-day week.

Moved by Lee, seconded by Suydam, to authorize the Highway Department to begin four-day work weeks at the discretion of the Road Superintendent. Roll Call Vote: Aye: Lee, Suydam, and Cottingham. Nay: None. Motion carried.

Grey discussed a section of County Road 22 that is having slide issues again. Rivinius will present a proposal at a future meeting.

Donald Johnson of Cavalier and Matt Ketterling of Fargo joined the meeting.

Blumhagen presented an update from the February 21 meeting regarding the Gaming Site Authorization application submitted by Aggie Foundation, stating that Strawberry Lake Improvement Association is not performing gaming at DL's Strawberry Kooler this year.

Moved by Lee, seconded by Suydam, to approve the Gaming Site Authorization applications as submitted by Aggie Foundation for bingo, raffles, pull tab dispensing, electronic pull tab, prize board, sports pools, twenty-one, poker, and calcutta activities at DL's Strawberry Kooler of Ruso through June 30, 2025. Roll Call Vote: Aye: Suydam, Lee, and Cottingham. Nay: None. Motion carried.

Knutson presented a Gaming Site Authorization Application submitted by American Legion Post 91, for bingo, pull tab dispensing, and electronic pull tab activities at Totten Trail Bar & Grill of Coleharbor from July 1, 2024 to June 30, 2025.

Moved by Suydam, seconded by Lee, to approve the Gaming Site Authorization Application as submitted by American Legion Post 91. Roll Call Vote: Aye: Lee, Suydam, and Cottingham. Nay: None. Motion carried.

Grey reported that the updates to the Road Policy are still being worked on. Discussion followed which resulted in the item being tabled for an upcoming meeting.

Chairperson Cottingham recessed the meeting at 8:55 a.m.

Bob Conn of Alexandria, MN, and Jason Irely of Bismarck joined the meeting.

Chairperson Cottingham reconvened the meeting at 9:00 a.m. for the bid openings for Project CP-2800(023) and Project CP-2800(024).

The first bid opening was for Project CP-2800(023), a mill, overlay, and sliver widening project. The first bid opened was from Knife River Materials, in the amount of \$2,410,555.31. The second bid was from Mayo Construction Company, in the amount of \$2,335,805.61. The third bid was from Central Specialties, in the amount of \$2,606,103.24. The fourth bid was from Border States Paving, Inc, in the amount of \$2,431,595.25. The fifth bid was from Northern Improvement, in the amount of \$3,129,618.10.

The second bid opening was for Project CP-2800(024), a mill and overlay project. The first bid opened was from Border States Paving, Inc, in the amount of \$3,436,085.60. The second bid opened was from Knife River Materials, in the amount of \$3,671,183.65.

The third bid opened was from Mayo Construction Company, in the amount of \$3,349,675.31. The fourth bid opened was from Central Specialties, in the amount of \$3,866,622.00.

Chairperson Cottingham allowed Rivinius time to verify the bids.

Knutson presented the Pledge of Securities received from TruCommunity Bank. The total public deposits were \$33,888,910.73 and the total pledged securities were \$34,157,654.00 on February 29, 2024.

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

Knutson informed the commission that Sportsmen's Centennial Park Manager Leslie Hultberg has submitted his resignation to be effective May 31, 2024. Knutson presented an updated job description to commission.

Moved by Lee, seconded by Suydam, to approve the park manager job description with the changes as presented. Roll Call Vote: Aye: Suydam, Lee, and Cottingham. Nay: None. Motion carried.

Moved by Suydam, seconded by Lee, to approve the Dakota Central Human Service Zone (DCHSZ) Transfer of Funds Resolution and the McLean County Auditor's Sweep Account Transfer of Funds Resolution from February. Roll Call Vote: Aye: Suydam, Lee, and Cottingham. Nay: None. Motion carried.

DCHSZ Transfer of Funds Resolutions and the McLean County Sweep Account Transfer of Funds Resolutions are on file in the McLean County Auditor's Office.

Received and ordered filed the fee collection report from the Recorder's Department for the month of February in the amount of \$20,839.75.

Received and ordered filed the fee collection report from the Sheriff's Department for the month of February in the amount of \$1,875.72.

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

Knutson presented the current list of delinquent tax payers owing more than \$4,000.00 showing 85 taxpayers owing \$739,062.31 in back taxes.

Knutson presented the Uncollected Tax List for years 2021-2023 showing a total of \$2,412,009.30.

Knutson presented the budget narrative for period ending February 29, 2024. She presented data showing property tax collections are at 87% collected including 91% with discount for 2024 or \$18,933,735.40; government reimbursement revenues totaled \$433,893.80 compared to \$340,853.98 in 2023; fees and miscellaneous revenues totaled \$208,289.30 compared to \$238,813.73 in 2023; and expenditures were at 15.82% of total budget for 2024.

Cottingham presented the application for Tax Abatement submitted by Michael Thyberg which has been amended since the original applications.

Moved by Lee, seconded by Suydam, to set Tax Abatement Hearing for 9:00 a.m. on March 19, 2024. Discussion followed. Roll call Vote: Aye: Lee, Suydam, and Cottingham. Nay: None. Motion carried.

Cottingham received a grievance from a former Highway Department employee, Paul Hardy.

Moved by Lee, seconded by Suydam, to set that hearing for 10:00 a.m. on March 19, 2024. Discussion followed. Roll Call Vote: Aye: Lee, Suydam, and Cottingham. Nay: None. Motion carried.

Rivinius recommended awarding Project CP-2800(023) to Mayo Construction Company, in the amount of \$2,335,805.61. Rivinius also recommended awarding Project CP-2800(024) to Mayo Construction Company, in the amount of \$3,349,675.31.

Moved by Lee, seconded by Suydam, to award Project CP-2800(023), mill and overlay and sliver widening, to the low bid of Mayo Construction Company for \$2,355,805.61. Roll Call Vote: Aye: Lee, Suydam, and Cottingham. Nay: None. Motion carried.

Moved by Suydam, seconded by Lee, to award Project CP-2800(024), mill and overlay, to the low bid of Mayo Construction Company for \$3,349,675.31. Roll Call Vote: Aye: Suydam, Lee, and Cottingham. Nay: None. Motion carried.

Knutson requested approval to use the interest made from the Certificates of Deposit (CD) at TruCommunity Bank to pay off the bond for Lakeview Estates. Discussion followed.

Moved by Lee, seconded by Suydam, to approve using the interest proceeds to pay off bond debt in the amount of \$80,000.00. Discussion followed. Roll Call Vote: Aye: Lee, Suydam, and Cottingham. Nay: None. Motion carried.

Suydam discussed the proposed walking trail from Garrison to Fort Stevenson State Park. Discussion followed.

There being no further business, the Chairperson declared the meeting adjourned at 10:40 a.m. The commission minutes and agenda can be found on the county website at <https://www.mcleancountynd.gov>.

Steve Cottingham, Chairperson

Diane L. Blumhagen, Deputy Auditor