

McLean County Commission Proceedings

Tuesday, April 5, 2022

The first regular April meeting of the Board of Commissioners was called to order at 8:32 a.m. by Chairperson Steve Lee. Present were Commissioners Lee, Steve Cottingham, and Barry Suydam. Also present were Auditor Beth A. Knutson, Road Superintendent Jim Grey, Assistant Road Superintendent Travis Verke, Wold Engineering Representative Mike Rivinius, Deputy Auditor Diane L. Blumhagen, Director of Disaster Emergency Services/Risk Manager Noelle Kroll, Wade and Amanda Haseleu, and Ralph Mancini of NorDak North Publishing.

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

Grey presented an update on department operations including letting the board know that Travis Verke has been promoted to Assistant Road Superintendent. He also informed the board that Austin Magruder has been hired to fill the open Equipment Operator III position and that the mini excavator has been delivered.

Rivinius presented an updated five-year paved road plan that featured two options for 2023. Discussion followed.

Moved by Cottingham, seconded by Suydam, to approve Option 1 on the five-year paved road plan for 2023. Roll Call Vote: Aye: Cottingham, Suydam, and Lee. Nay: None. Motion carried.

Knutson informed the Commission that she communicated with Bruce Hagen from the Department of Commerce through email regarding the Energy Conservation Grant for light replacements at the highway shops. Both Garrison and Turtle Lake shops qualify, and she will submit applications once all bids have been received and a contractor has been selected. Discussion followed.

Cammie Wright of NorDak North Publishing joined the meeting.

Grey requested that Verke be included in the monthly cell phone usage reimbursement of \$30.00 per month.

Moved by Cottingham, seconded by Suydam, to reimburse Travis Verke for cell phone usage of \$30.00 per month. Roll Call Vote: Aye: Suydam, Cottingham, and Lee. Nay: None. Motion carried.

Kroll informed the commissioners that the draft copy of the multi-hazard mitigation plan is on the county website for public review and public comment. Kroll also discussed two full scale exercises scheduled in Underwood on April 14, 2022, and Turtle Lake on May 18, 2022. Kroll invited the commissioners to attend and observe the exercises.

Kroll discussed a burn ban for McLean County. The burn ban, if approved, would be effective immediately and would depend on the North Dakota Rangeland Fire Danger Rating, there are a few changes in it to allow for controlled devices.

Moved by Suydam, seconded by Cottingham, to adopt the 2022 Fire Emergency Declaration and Burn Ban as follows:

2022 Fire Emergency and
Automatic Burn Ban
For
McLean County, North Dakota

April 5, 2022

Whereas, McLean County, North Dakota is currently in a drought with abnormally to moderate dry conditions, and has experienced high winds, as well as continued, forecasted dry conditions; and

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

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

Whereas, the cost of emergency response and the inordinate equipment wear may be far in excess of available County resources.

Now, Therefore, be it Resolved, that the Board of McLean County Commissioners declares a Fire Emergency and Automatic Burn Ban 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 thru November 1, 2022.

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, campfires/bonfires/recreational fires and fireworks.

What's Excluded

Controlled Devices: only when device(s) (gas, charcoal, wood-fired/pellet grills, patio fireplaces and chimneys, 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 ban 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.

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 April, 2022.

Steve Lee, Chairman
McLean County Commission

Attest: _____
Beth Knutson
McLean County Auditor

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

Chris Friez from Falkirk Mining Company, States Attorney Ladd Erickson, and Building Maintenance Supervisor Curt Malo joined the meeting.

Knutson presented a draft resolution for a county ballot measure regarding mill levy transfer of an expiring levy for road maintenance. Discussion followed that resulted in verbiage changes which will be brought back to the next meeting.

Knutson presented a resolution for polling times at the previously approved polling locations. The resolution states the times of the polling locations will be 7:00 a.m. to 7:00 p.m. at the three vote centers and one polling place.

Moved by Cottingham, seconded by Suydam, to approve the resolution setting polling location times from 7:00 a.m. to 7:00 p.m. Roll Call Vote: Aye: Cottingham, Suydam, and Lee. Nay: None. Motion carried.

Knutson informed the commissioners that the Clerk of Court Funding Agreement has been received.

Knutson and the board discussed yearly performance reviews for appointed officials.

Tax Director Todd Schreiner and Property Appraiser Elizabeth Patterson joined the meeting for discussion on the tabled Falkirk Mining Company Conditional Use Permit Application requesting approval of a Conditional Use Permit involving land located in portions of Sections 1, 2, 3, and 5, Township 146 North, Range 82 West, and portions of Sections 33 and 34, and all of Sections 35 and 36, Township 147 North, Range 82 West, known as 8th Addition to Permit NAFK-8405 containing 3,359.7 acres, more or less. The above-named applicant seeks approval to continue surface coal mining operations. Discussion followed. Erickson requested time to construct a contingency to the permit that works best for Falkirk Mining Company and Haseleus.

Moved by Suydam, seconded by Cottingham, to table action on the permit until the next regular meeting at 9:00 a.m. on April 19, 2022. Roll Call Vote: Aye: Suydam, Cottingham, and Lee. Nay: None. Motion carried.

Craig Argabright, of Minot, ND, joined the meeting.

Knutson discussed contacting the city auditors to schedule a joint meeting of the County Commission and city boards. Erickson stated the meeting will be held to discuss road issues; Planning and Zoning; law enforcement; jointly held elections; and other topics.

Knutson presented the proposed 2023 Police Service Contract amounts to the commission. Discussion followed regarding the salary and hours allocated to the individual cities. The proposed amounts are as follows: Benedict at \$2,301.81; Butte at \$5,542.42; Coleharbor at \$5,524.42; White Shield at \$184,456.03; Max at \$32,226.25; Mercer at \$5,524.42; Riverdale at \$32,226.25; Turtle Lake at \$38,731.38; Underwood at \$94,773.16; Washburn at \$184,456.03; and Wilton at \$103,283.47. The total of all contracts is \$689,027.64.

Moved by Cottingham, seconded by Suydam, to approve the 2023 Police Contracts as presented and directed that they be sent out to each entity. Roll Call Vote: Aye: Suydam, Cottingham, and Lee. Nay: None. Motion carried.

Chief Deputy Sheriff Richard Johnson joined the meeting.

Chairperson Lee requested a one-time change to move May's second regular meeting date to May 24, 2022.

Moved by Cottingham, seconded by Suydam, to move May's second regular meeting date to May 24, 2022. Roll Call Vote: Aye: Cottingham, Suydam, and Lee. Nay: None. Motion carried.

Building Maintenance Supervisor Curt Malo joined the meeting to present the bid from Dakota Caulking, Inc. of Mandan, ND, in the amount of \$5,647.00 for caulking at the Law Enforcement Center. Discussion followed.

Moved by Suydam, seconded by Cottingham, to approve the bid from Dakota Caulking, Inc. for \$5,647.00. Roll Call Vote: Aye: Cottingham, Suydam, and Lee. Nay: None. Motion carried.

Malo discussed replacement of windows at the courthouse. Discussion resulted in requesting estimates on cost of replacing windows either by floor or all at once.

Johnson presented a Memorandum of Understanding (MOU) between the Underwood School District and the McLean County Sheriff's Department regarding access to their surveillance cameras. The school would like a MOU signed before allowing McLean County Sheriff's Department access to surveillance coverage. Johnson requested authorization to enter into the MOU with Underwood School District.

Moved by Suydam, seconded by Cottingham, to approve the MOU between Underwood School District and McLean County Sheriff's Department. Roll Call Vote: Aye: Suydam, Cottingham, and Lee. Nay: None. Motion carried.

Chief Deputy Auditor Lori Foss joined the meeting to present updated job descriptions for the following positions for approval: Clerk of District Court, Deputy Clerk of District Court, Administrative Assistant for NDSU Extension Service, State's Attorney, Legal Secretary/Clerk, Legal Assistant II, and E911/GIS Mapping Technician.

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

Knutson presented a Gaming Site Authorization Application submitted by Garrison Area Improvement Inc. for the Garrison Golf Club for July 1, 2022, to June 30, 2023, with Paddlewheels with Tickets not being offered as the only change from last year.

Moved by Cottingham, seconded by Lee, to approve the Gaming Site Authorization Application submitted by the Garrison Area Improvement Inc. at the Garrison Golf Club. Roll Call Vote: Aye: Cottingham, Suydam, and Lee. Nay: None. Motion carried.

Knutson presented a Gaming Site Authorization Application submitted by American Legion Post 91 for Totten Trail Bar for July 1, 2022, to June 30, 2023, with no changes from last year.

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

Knutson presented a Gaming Site Authorization Application submitted by Strawberry Lake Improvement Association for Strawberry Kooler/Strawberry Lake Association Building for May 1, 2022, to September 30, 2022, with raffles being added as the only change from last year.

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

Knutson presented a Beer and Liquor License Transfer Application from Cindy Kittelson to Donna Knutson for the Strawberry Kooler.

Moved by Suydam, seconded by Cottingham, to approve the Beer and Liquor License Transfer Application for the Strawberry Kooler. Roll Call Vote: Aye: Suydam, Cottingham, and Lee. Nay: None. Motion carried.

Moved by Cottingham, seconded by Suydam, to approve the raffle permit application submitted by Pathfinder Services of ND Inc. for a raffle drawing to be held on August 31, 2022, with ticket sales taking place from May 1 through August 31, for eight cash prizes with a total prize value of \$3,300.00 with the proceeds being used for non-profit unrestricted funds. Roll Call Vote: Aye: Cottingham, Suydam, and Lee. Nay: None. Motion carried.

Moved by Suydam, seconded by Cottingham, to approve the raffle permit application submitted by Sky Fest Over Fort Stevenson for a raffle to be held on May 30, 2022, for a kite valued at \$300.00, with the proceeds going towards the expenses incurred for the kite festival. Roll Call Vote: Aye: Suydam, Cottingham, and Lee. Nay: None. Motion carried.

Knutson presented the Pledge of Securities for the month of March received from TruCommunity Bank. On March 31, 2022, the total public deposits were \$18,671,621.86 and total pledged securities were \$19,844,458.52.

Moved by Cottingham, seconded by Suydam, to accept the Pledge of Securities for the month of March from TruCommunity Bank. 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 \$12,642.00 for the month of March.

Received and ordered filed the fee collection report from the Sheriff's Office in the amount of \$1,959.86 for the month of March.

Grey and Verke rejoined the meeting.

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 \$1,456,121.76.

Argabright addressed the commissioners regarding the discussion held at the County Commission meeting held on July 20, 2021, regarding dust control efforts on the road leading into the Wolf Creek West Subdivision. Argabright was under the impression that there was to be a three-way stop sign placed which hasn't happened yet. Grey stated the stop signs were to be placed last year but the ground frost set in too fast. Discussion followed.

Knutson presented the budget narrative for period ending March 31, 2022. She presented data showing property tax collections are at 90% collected including 94% with discount for 2022 or \$17,923,837.25; government reimbursement revenues totaled \$544,635.65 compared to \$511,604.25 in 2021; fees and miscellaneous revenues totaled \$337,312.17 compared to \$458,880.11 in 2021; and expenditures were at 21.01% of total budget for 2022.

Knutson informed the commission of the Planning and Zoning Commission Meeting to be held Monday, April 18, 2022, at 7:00 p.m. at the Underwood City Hall.

Knutson was contacted by the First District Health Nurse informing the board of a focus group meeting at the courthouse on April 27, 2022, from 5:30 p.m. to 6:30 p.m. asking if one of the three commissioners would like to attend. The focus group is being formed to discuss reimplementing some of the programs which were cut out due to the pandemic. Cottingham agreed to attend the focus group meeting.

Knutson informed the commission that she and Deputy Auditor Kayla Oberlander attended the fire district meetings held in Ryder and Max, regarding the annexation of Ward County land into the Garrison/Max Ambulance District. Knutson stated that she will be attending the fire district meeting being held in Garrison this coming week.

Moved by Cottingham, seconded by Suydam, 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.

There being no further business, the chairperson declared the meeting adjourned at 10:32 a.m. until the next regularly scheduled meeting on Tuesday, April 19, 2022. 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