

McLean County Commission Proceedings
Tuesday, April 5, 2016

The first regular April meeting of the Board of Commissioners was called to order at 8:30 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 joined the meeting along with Wold Engineering representative Ron Wagner to discuss department operations. Grey informed the Commission that he had received a check in the amount of \$50,867.53 for highway equipment sold at a recent auction. He reported that the crews will be starting some shoulder work on County Road (CR) #6 from CR #13 to CR #37. Grey has been talking with RDO Equipment regarding tractor rentals that would not be available until August 30, maybe July at the earliest. Lee responded that John Deere does not build equipment until they have an order for it.

Grey requested and received permission to order culverts as the prices have seen a decrease as of late.

Grey requested and received permission to order pavement testing of various roads within the County. He feels it would be money well spent. Lee stated that it's a good idea to know where work needs to be done so long range plans can be made. Wagner added that it's been done in the past and is a proven money saver in the long run. Grey reported that he had visited with Auditor Korgel and was assured that money is available to fund this.

Grey then requested and received permission to have a yard light installed at the back of the Garrison shop yard for added security now that the Sheriff's Department is storing impounded vehicles there.

Moved by Krebsbach, seconded by Suydam, to approve the local permit request from McLean County 4-H Leader's Council for a 50/50 raffle to be held on the McLean County Fairgrounds from June 17th – 19th, 2016. Roll Call Vote: Aye: Krebsbach, Suydam, and Lee. Nay: None. Motion carried.

Moved by Suydam, seconded by Krebsbach, to approve the Gaming Site Authorization from Painted Woods Recreation Area for a raffle and poker tournament to be held in the dining hall of Totten Trail Bar and Grill on May 1, 2016. Roll Call Vote: Aye: Krebsbach, Suydam, and Lee. Nay: None. Motion carried.

Moved by Krebsbach, seconded by Suydam, to approve issuing a 2016 beer and liquor license to Heather Wallgren doing business as The Shore Bar and Grill, located at the Brush Lake Pavillion. Korgel stated that a letter of approval has been received from Wise Township. Lee doesn't like it as there are a lot of kids in and out of that location. Roll Call Vote: Aye: Suydam and Krebsbach. Nay: Lee. Motion carried.

The Rusted Rail of Underwood has requested a liquor license transfer to serve liquor at the McLean County Speedway during the summer season this year. Korgel stated that it could be within the Underwood city limits, but is county property.

Moved by Suydam, seconded by Krebsbach, to approve the request from The Rusted Rail to serve liquor at the McLean County Speedway pending the approval of the city of Underwood and a review by States Attorney Ladd Erickson. Roll Call Vote: Aye: Krebsbach, Suydam, and Lee. Nay: None. Motion carried.

Korgel informed the Commission that a grant has been received in the amount of \$3,100.00 to be used to replace the pressure tank at the fish cleaning station at Sportsmen Centennial Park.

Korgel then requested approval for the Falkirk Mine Fishing Tournament for employees and their families to be held at Sportsmen Centennial Park on June 11, 2016. He explained that this would be the second year the tournament has been held and Park caretaker Leslie Hultberg said that things went well last year and he has no problem with hosting the event once again.

Moved by Krebsbach, seconded by Suydam, to approve the Falkirk Mine Fishing Tournament at Sportsmen Centennial Park on June 11, 2016 from 8:00 a.m. to 4:00 p.m. Roll Call Vote: Aye: Krebsbach, Suydam, and Lee. Nay: None. Motion carried.

Al Christianson, Jennifer Charles, Rachel Retterath, Morris Hummel, Rodney James and Lynden Anderson of Great River Energy (GRE) joined the meeting along with Doug Stoltz of Falkirk Mining Company to discuss Section 26, a special waste land fill for fly ash. Jennifer Charles explained that the land fill is no longer needed as the demand for fly ash is great and GRE now sells it and uses some on site. They plan to reclaim the fly ash that is in the land fill for onsite use and the process should take about 2 years. While the project is ongoing, it will be under the jurisdiction of the State Health Department and then the Public Service Commission once completed. Charles presented a map showing the commission the township road to be used for hauling. Highway Superintendent Grey does not have any issues with the use of the road as long as maintenance and dust control is provided by the contractor, Border States Paving out of Fargo, The project is expected to take place only during daylight hours from 8:00 a.m. to 6:00 p.m. scheduled to begin in early June and would only be a summer time operation. Retterath explained that roughly between 80 – 100 loads would be hauled daily using 9 trucks. Suydam questioned how much local traffic there is on this road. Grey stated that the road is used mostly by mine or power plant workers heading back to Underwood. Stoltz added that there is some farm traffic. Stoltz reported that when the project is completed, Section 26 will become part of Falkirk Mine and will have to be bonded. The pit will remain open and monitored until it can be filled in with dirt from a box cut in approximately 2036 – 2037.

Moved by Krebsbach, seconded by Suydam, to approve the joint project between GRE and Falkirk Mining Company to reclaim the fly ash from Section 26, a special waste land fill, authorizing Auditor Korgel and States Attorney Ladd Erickson to write a resolution for the Commission to sign in support of the project. Suydam is concerned about local traffic in the area. Stoltz stated that he will be in touch with area farmers. Roll Call Vote: Aye: Krebsbach, Suydam, and Lee. Nay: None. Motion carried.

Korgel questioned Hummel regarding the Supreme Court's decision to stay the Clean Power Plan. Hummel stated that oral arguments will begin in June. However it shakes out, GRE will have carbon restraints place on them. They are moving forward, looking for efficiency improvements that can be made to get them where they need to be, while remaining competitive in the market. He went on to say that now is a tough time but there are brighter days ahead.

States Attorney Ladd Erickson joined the meeting.

The board received and ordered filed the monthly revenue report submitted by the Sheriff's office in the amount of \$1,545.74 for the months of January, February and March.

The board received and ordered filed the monthly revenue report submitted by the Recorder's office in the amount of \$5,959.00 for the month of March.

Korgel presented his financial recap report for the period ending March 31, 2016 including the listing of delinquent tax payers in the county owing more than \$4,000.00 which shows 45 property owners owing a total of \$353,144.69. Government reimbursements are at \$366,457.87 compared to \$550,087.30 in 2015. Property tax collections for 2016 stand at 93% compared to 93% in 2015. On the expense side we have spent 20.66% of the 2016 budget.

Sheriff J. R. Kerzmann, Chief Deputy Sheriff/E-911 Coordinator Richard Johnson and Assistant Jail Administrator Wade Krohmer joined the meeting.

Moved by Krebsbach, seconded by Suydam, to authorize Kerzmann to advertise for one or more patrol deputies. Roll Call Vote: Aye: Lee, Krebsbach, and Suydam. Nay: None. Motion carried.

Moved by Suydam, seconded by Krebsbach, to authorize Krohmer to advertise for one or more jailer/dispatchers. Roll Call Vote: Aye: Lee, Krebsbach, and Suydam. Nay: None. Motion carried.

Johnson informed the commission that when Sheriff Department promotions were done in March, Patrol Deputy Justin Cote was overlooked in the commission meeting but had been promoted to Patrol Deputy Senior Officer and requested that his promotion be approved with the correct salary adjustment and made retroactive as of March 1, 2016. Korgel will look into what the salary adjustment should be.

Moved by Suydam, seconded by Krebsbach, to promote Patrol Deputy Justin Cote to Patrol Deputy Senior Officer retroactive as of March 1, 2016. Roll Call Vote: Aye: Lee, Krebsbach, and Suydam. Nay: None. Motion carried.

Kerzmann informed the Commission that the department raised \$17,128.00 at auction and requested permission to use some of the money to purchase controllers and light bars for the coming new vehicles. Korgel explained that he would use the money to get the towing account up to date and put the difference in the Sheriff Drug Forfeiture account for use toward the requested purchases.

Moved by Suydam, seconded by Krebsbach, to approve the purchase of 3 new light bars and controllers for the new Sheriff vehicles. Roll Call Vote: Aye: Krebsbach, Suydam, and Lee. Nay: None. Motion carried.

Kerzmann explained a \$2,500.00 voucher to be paid today because of damages done to an Underwood residence during the execution of a search warrant. States Attorney Ladd Erickson worked with the resident to come up with an amount to be agreed on by both sides.

Kerzmann reported that he is still looking for another \$100.00 pound dog for the K9 unit.

County Recorder Beth Knutson joined the meeting. She explained to the Commission that as of March 1, 2016, the Secretary of State's Office has taken over the Uniform Commercial Code filings for the state. Her office will still see some revenue from the State regarding the UCC's. Knutson also reported that fees in her office will most likely be increasing as they haven't changed since 1991.

Knutson has been awarded the 2015 – 2016 NACRC Annual Conference Barbara Frerichs-Mendoza Scholarship that makes her eligible for up to \$1,200.00 for NACRC conference registration, a single hotel room to cover the conference nights, coach airplane fare or a combination of each. The scholarship does not cover meals, cab fare, admittance to other venues or miscellaneous personal items. Knutson explained that the County's expense could be \$200.00 - \$1,000.00 and requested the County's support in attending the annual conference scheduled for June in Memphis, TN.

Moved by Suydam, seconded by Krebsbach, to authorize expenses for Knutson up to \$1,000.00 for the NACRC annual conference. Roll Call Vote: Aye: Krebsbach, Suydam, and Lee. Nay: None. Motion carried.

Chairperson Lee stated that he has scheduling conflicts between the Dakota Central Social Services Board meetings and the Dakota Prairies RC&D Council meetings and would like to resign as county representative for the latter. He then appointed Commissioner Krebsbach as the new Dakota Prairies RC&D Council representative.

States Attorney Ladd Erickson discussed the Sakakawea land transfer issue between the Three Affiliated Tribes and the U. S. Army Corps of Engineers and its effect on McLean County.

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

CHECK #	VENDOR	DESCRIPTION	AMOUNT
A129470	BHG INC	ROAD RESTRICTIONS/NOTICE OF BIDS	572.00
A129471	BUTLER MACHINERY COMPANY	PARTS	2,857.57
A129472	WILLIAM CARLSON	CELL PHONE REIMBURSEMENT	30.00

A129473	CIRCLE SANITATION SERVICE	GARBAGE PICKUP	64.25
A129474	DAKOTA TRUCK AND FARM SVC	SWITCH	126.21
A129475	FASTENAL COMPANY	SHOP SUPPLIES	41.05
A129476	FILTER CARE OF GRAFTON	WASHED FILTERS	105.89
A129477	FLATH, BRYAN	GRAVEL ROYALTY	5,520.50
A129478	FLATH-OLSON, KAREN	GRAVEL ROYALTY	11,041.00
A129479	MAX FARM SERVICES	FUEL	2,108.16
A129480	MCLEAN SHERIDAN RURAL WATER	WATER	74.20
A129481	NAPA AUTO PARTS-WASHBURN	PARTS, WASHBURN SHOP SUPPLIES	298.92
A129482	SCHAEFFER MANUFACTURING CO	OIL	2,320.30
A129483	SCOTT'S HARDWARE	WASHBURN SHOP SUPPLIES, PARTS	150.33
A129484	DONNA SHAFER	GRAVEL ROYALTY	18,200.86
A129485	S & J HARDWARE	OIL, PARTS	39.52
A129486	SMITHYS LLC	PARTS	88.75
A129487	SUNDRE SAND & GRAVEL	CRUSHING – SHAFER & FLATH PITS	159,539.39
A129488	TATUM, CRYSTAL	GRAVEL ROYALTY	5,520.50
A129489	TITAN MACHINERY	WIRING HARNESS/PIGTAIL	173.00
A129490	UNDERWOOD FARM SUPPLY	PARTS	115.96
A129491	WAGON WHEEL LUMBER	SHOP SUPPLIES, PARTS	20.06
A129492	WEST RIVER TELECOMM	TELEPHONE/DSL – HIGHWAY	87.82
A129493	ABM INC	COPIER MAINTENANCE AGREEMENT – SHERIFF	1,096.24
A129494	ACTION SPORTS	CHANGE OIL/DRAIN PLUG – POLARIS RANGER – WEED CONTROL	112.18
A129495	AMERIPRIDE LINEN & APPAREL	SHOP TOWELS, FLOOR MATS	329.82
A129496	AT&T MOBILITY	SHERIFF, STATES ATTORNEY – CELL SERVICE; LAND USE – DATA CARD	239.90
A129497	BHG INC	COMMISSION MINUTES, GRAVEL BIDS, BURN BAN, SKYWARN TRAINING, NOTICE – SCHMIDT	1,630.48
A129498	BOB BARKER COMPANY	PERSONAL HYGIENE, CONVEX MIRROR	151.24
A129499	BUSINESS CARD	ROOM – BAILEY, ANTI-VIRUS, PENS, ENVELOPES, FORENSICS TRAINING – J KROHMER	466.64
A129500	CAPITAL CITY REST SUPPLY	OVEN MITTS, FOIL – SHERIFF	78.00
A129501	CENEX CREDIT CARD	GASOLINE – SHERIFF	1,177.29
A129502	CHASE DRUG STORE	PRISONER MEDICAL, CAMERA BATTERIES – SHERIFF	467.07
A129503	CIRCLE SANITATION SERVICE	GARBAGE PICKUP	337.00
A129504	CITY OF WASHBURN	WATER/SEWER – COURTHOUSE, LAW ENFORCEMENT CENTER	511.32
A129505	DAKOTA CENTRAL SOCIAL SVCS	McLEAN COUNTY SHARE BILLABLE EXPENSES – MARCH	24,974.98
A129506	DIGITAL ALLY	RMT BATTERY PACK – SHERIFF	190.00
A129507	DOC'S SHOP	REPAIRS, OIL CHANGES, TIRE REPAIRS – SHERIFF	780.32
A129508	MICHELLE EFFERTZ	REIMBURSE MARCH CELL PHONE	30.00
A129509	ESLINGER CONSTRUCTION, LLC	REFUND FEE FOR CONDITIONAL USE PERMIT	250.00
A129510	WILTON FARMERS UNION OIL CO	GASOLINE – SHERIFF	755.83
A129511	FARMERS UNION SERVICE ASSOC	BUSINESS PREMIUM RENEWAL	92,600.00
A129512	LORI A FOSS	FEBRUARY TRAVEL	43.20
A129513	GARRISON DIVERSION	DISBURSE MONTHLY PAYMENTS	1,446.76
A129514	BENJAMIN GEHRING	MARCH CORONER SERVICES	1,500.00
A129515	GERARD GOVEN	MARCH MEETINGS/TRAVEL	415.50
A129516	TERRI GUDERJAHN	MARCH TRAVEL	16.95
A129517	CALLA JARBOE	REIMBURSE SUPPLIES – KIDS IN THE GARDEN	55.97
A129518	SHANNON JEFFERS	MARCH MEETINGS/TRAVEL	1,981.12
A129519	KEN'S BODY SHOP	IMPOUNDS – SHERIFF	1,050.00
A129520	BETH KNUTSON	TRAVEL – QUAD MEETING FOR RECORDERS	81.00
A129521	KRAUSE'S MARKET	COFFEE FILTERS; SUPPLIES FOR SCHOOL NUTRITION PROGRAM – COUNTY AGENT	50.14
A129522	NOELLE KROLL	REIMBURSE APRIL CELL PHONE	30.00
A129523	LEE, STEVE	MARCH TRAVEL	237.60
A129524	NANCY LEIDHOLM	TRAVEL – ELECTION TRAINING, PICK UP	102.60
A129525	CURT MALO	FINAL FISHING LICENSES 2015-2016	30.00
A129526	MCLEAN FAMILY RESOURCE CTR	REIMBURSE APRIL CELL PHONE	30.00
A129527	MIDWEST DOORS, INC.	DISBURSE MONTHLY COLLECTIONS	821.00
A129528	NATIONAL 4-H COUNCIL	REPLACE DOOR CABLE	195.65
A129529	ND ASSOCIATION OF COUNTIES	SUPPLIES FOR 4-H BOOTH AT LION'S CARNIVAL	37.31
A129530	NDACO RESOURCES GROUP	DISBURSE 15% E-911 COLLECTIONS	2,006.60
		MANAGED SERVER PRO – MAY;	1,408.26
		MANAGED WORKSTATIONS PRO – MAY;	

		SUBSCRIPTION BASED ANTI-VIRUS – MAY;	
		MONTHLY FEE FOR DATTO – MAY	
A129531	NORTH DAKOTA ENVELOPE CO	DEPARTMENTAL ENVELOPES	913.85
A129532	ND STATE RADIO COMM	TELETYPE 1/1/2016 – 3/31/2016	480.00
A129533	ND SUPREME COURT	E-FILING SURCHARGE FEES	75.00
A129534	NW TIRE	TIRES – SHERIFF	987.44
A129535	LYNN OBERG	MARCH MEETINGS/TRAVEL/20 X 24 PHOTO MOUNT	1,793.32
A129536	RYAN OBERG	REIMBURSE APRIL CELL PHONE	30.00
A129537	OFFICE DEPOT	HP/LEXMARK INK, LASER TONER, PENS, SALES BOOKS, CORRECT TAPE	2,363.04
A129538	OTTERTAIL POWER COMPANY	BUTTE, TURTLE LAKE, WASHBURN & MAX SHOPS, COURTHOUSE, RADIO TOWER, LAW ENFORCEMENT CENTER	4,987.81
A129539	PITNEY BOWES	MAILING SYSTEM RENTAL 12/30-15 TO 3/30/16	1,153.11
A129540	JAIMI POCHANT	INMATE CARE	870.00
A129541	POST BOARD	PSYCH EVAL	135.00
A129542	QUILL CORP	PENS, SIGNATURE FLAGS	49.94
A129543	RIXSTINE RECOGNITION	COUNTY FAIR RIBBONS	535.22
A129544	SANFORD HEALTH	INMATE MEDICAL – SHERIFF	246.63
A129545	TODD SCHREINER	TRAVEL – CVSO WORKSHOP	131.11
A129546	SCOTT'S HARDWARE	JANITORIAL SUPPLIES, CONVERTER, QUICK LINK	139.07
A129547	SIX, ANNA	REIMBURSE FOR DIABETIC STRIPS, Q TIPS	39.68
A129548	SRT COMMUNICATIONS, INC	ASSESSOR CELL SERVICE	61.04
A129549	ND STATE TREASURER	DISBURSE MONTHLY COLLECTIONS	2,350.57
A129550	ST ALEXIUS MEDICAL CENTER	INMATE MEDICAL – SHERIFF	74.00
A129551	BARRY SUYDAM	MARCH TRAVEL	113.40
A129552	THE ATTIC SPORTSMANS LOFT	AMMUNITION – SHERIFF	7,985.50
A129553	THIRD WATCH COMMUNICATIONS	WHELEN 100W SIREN SPEAKER & MOUNT –	7,443.50
A129554	TURNKEY CORRECTIONS	INDIGENT FEES – SHERIFF	6.88
A129555	WAGON WHEEL LUMBER	LINSEED OIL, TRAY – WEED CONTROL	22.68
A129556	WASHBURN AUTO BODY LLC	TIRE REPAIR, ROCK CHIP REPAIR – SHERIFF	74.99
A129557	WASHBURN VOLUNTEER AMB	CPR CLASS EXPENSES	324.00
A129558	WATER PURITY INC	WATER DELIVERED	63.00
A129559	TOM & MINDY WEIST	SHERIFF EXPENSE	2,500.00
	MARCH 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.	\$330,356.20

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

There being no further business, the chairperson declared the meeting adjourned until the next regularly scheduled meeting on Tuesday, April 19. The commission minutes and agenda can be found on the county website at <http://www.visitmcleancounty.com/officals/meetings.html>.

Steve Lee, Chairperson

Nancy Leidholm, Deputy Auditor