

McLean County Commission Proceedings
Tuesday, July 3, 2018

The first regular July meeting of the Board of Commissioners was called to order at 8:31 a.m. by Chairperson Barry Suydam. Present were Commissioners Suydam, Steve Lee, and Doug Krebsbach. Also present were Auditor Leslie Korgel and Deputy Auditor Nancy Leidholm.

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

Highway Superintendent Jim Grey joined the meeting with department updates. He reported that crews have been out doing road closures due to the recent storm last Friday. Discussion followed regarding a road near Falkirk Mine. Grey reported that culverts west of Garrison couldn't keep up causing gravel to wash out stating that crews were working on that as well. He also informed the commission that crews were busy cutting trees in various areas across the county. Grey discussed using leftover funds from various accounts for the purchase of two pickups this fall. Korgel stated that the budget is tight. The Capital Outlay line item of the Highway Equipment Expense budget is showing 221% expended due to the lease payments for the motor graders, though is offset by the sale of three motor graders leaving them in the good. Lee would like to see where the budget is as a whole before making a decision. Discussion followed.

Shannon Jeffers and Lynn Oberg of the McLean County Water Resource Board joined the meeting along with Steve Cottingham of Falkirk Mining Company.

Grey went on to discuss Project RSC-2845(002), a proposed signal crossing upgrade at the existing railroad crossing north of Garrison on County Road 15. The total expense of the project is \$251,000.00. This is a 90/10 cost share project with the ND Department of Transportation, the county's share being \$25,100.00. Lee questioned if this was needed. Grey replied that former Highway Superintendent Ron Wagner had started the process for this project and it has taken this long to fall into place. Grey was instructed to get more information before the commission makes a decision.

Grey informed the commission that the biannual county township road mileage certification is complete showing 1,816 miles of roads in the county.

Shannon Jeffers and Lynn Oberg of the McLean County Water Resource Board presented their budget proposal for 2019. The total budget request for 2019 is \$161,700.00. The Contractors line item shows an increase from \$40,000.00 in 2018 to \$45,000.00 for 2019 and Registrations shows an increase from \$1,200.00 in 2018 to \$1,400.00 for 2019. Line Item Turtle Lake Irrigation has been changed to Turtle Lake & Creek showing an increase from \$0.00 in 2018 to \$4,000.00 for 2019. The Lower Buffalo Creek line item shows a decrease from \$7,000.00 in 2018 to \$3,000.00 for 2019. The remaining line items remain the same as in 2018. Jeffers and Oberg discussed current projects.

Steve Cottingham of Falkirk Mining Company was present to discuss temporarily closing 1st Street SW near Falkirk Mine due to the recent storm. He questioned if this request would have to be advertised and a hearing held or if an emergency closure could be done. Discussion took place regarding placing a gate at both ends of the road. Lee would like to see signage stating "Temporarily Closed" as well.

Moved by Lee, seconded by Krebsbach, to do an emergency closing for 1st Street SW due to the recent storm for safety reasons. Roll Call Vote: Aye: Lee, Krebsbach, and Suydam. Nay: None. Motion carried.

Korgel presented the proposed 2019 budget from First District Health Unit. He presented the expenditure breakdown where the budgeted total increased from \$4,929,270.00 in 2018 to \$5,275,109.00 for 2019 including a 3% salary increase for their staff. Korgel then presented the revenue breakdown for the district. The dollar amount requested from McLean County is \$183,469.00 which is an increase over the 2018 amount of \$173,694.00.

Moved by Lee, seconded by Krebsbach, to approve the 2019 budget from First District Health Unit as submitted. Roll Call Vote: Aye: Lee, Krebsbach, and Suydam. Nay: None. Motion carried.

Disaster Emergency Services Manager Noelle Kroll joined the meeting.

Moved by Krebsbach, seconded by Lee, to approve the following Emergency Declaration:

MCLEAN COUNTY DECLARATION

WHEREAS, the County of McLean has suffered damages to infrastructure, homes, and businesses caused by very high winds, rain and hail from a summer storm received during June 28th through June 29th, 2018; and

WHEREAS, the impact of these damages have resulted in a fatality, as well as threatens the health, well-being and public safety of the citizens in the County of McLean; and

WHEREAS, the cost of cleanup, repair and replacement of such damages is far in excess of available county resources.

NOW, THEREFORE BE IT RESOLVED, that McLean County Commission declares an emergency and orders the activation and utilization of the County Emergency Operations Plan, its procedures, attachments and appendices to monitor the situation, develop a detailed damage assessment, alleviate hardships and initiate appropriate relief actions and mitigation measures by departments and agencies of local government to limit the hardships and impact of this emergency upon the citizens of the McLean County.

DATED at Washburn, North Dakota this 3rd Day of July, 2018.

McLean County Commission, Chairperson

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

Kroll went on to present the Disaster Emergency Officer budget for 2019. The Salaries line item includes a 2% increase with the remaining line items remaining the same as 2018 for a total budget of \$49,414.00.

Korgel reported that Maintenance Supervisor Curt Malo has requested permission to hire the original installing company to do a complete inspection of the rain gutters of both the Courthouse and Law Enforcement Center (LEC) due to finding damage at the LEC after the recent storm.

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

| CHECK # | VENDOR | DESCRIPTION | AMOUNT |
|---------|-------------------------------|---|----------|
| A135822 | ALLSTATE PETERBILT - BISMARCK | PARTS | 51.96 |
| A135823 | JAMES R BRITTON FAMILY TRUST | RELOCATION OF ROW/CP-2861(017) | 7,025.00 |
| A135824 | WILLIAM CARLSON | REIMBURSE FOR CELL PHONE | 30.00 |
| A135825 | CIRCLE SANITATION SERVICE | GARBAGE PICKUP | 136.00 |
| A135826 | JOHNSEN TRAILER SERVICE | PARTS | 164.29 |
| A135827 | LYLE SIGNS, INC | SIGNS | 5,975.18 |
| A135828 | MCLEAN SHERIDAN RURAL WATER | WATER | 103.92 |
| A135829 | MENARD'S | WINDOW WASHER FLUID, PARTS | 51.90 |
| A135830 | NORTHERN PLAINS EQUIPMENT | SWITCH | 52.90 |
| A135831 | SMITHYS LLC | ANGLE IRON & TUBING | 48.60 |
| A135832 | CLAUDIA TAUER | RELOCATION OF ROW/CP-2861(017) | 9,915.00 |
| A135833 | TITAN MACHINERY | MOWER BLADE BOLTS, MOWER BLADES | 1,020.31 |
| A135834 | WHOLESALE AG PRODUCTS WEST | 2.5 GALLONS/BUCCANEER | 210.00 |
| A135835 | AMERIPRIDE LINEN & APPAREL | SHOP TOWELS, FLOOR MATS | 190.04 |
| A135836 | AT&T MOBILITY | SHERIFF, STATES ATTORNEY CELL SERVICE; DES HOTSPOT; LAND USE – DATA CARD | 267.82 |
| A135837 | BHG INC | COMMISSION MINUTES, RUBBER BANDS, SAMPLE BALLOTS, NOTICES | 2,700.70 |
| A135838 | BILL BARTH | WATER PUMP – SHERIFF | 2,458.30 |
| A135839 | BUSINESS CARD | WEBROOT ANTIVIRUS, PRINTER, UPC-X46 COLOR PRINTING PACK, MEALS FOR ELECTION TRAINING, TRAILER RENTAL TO HAUL ELECTION EQUIPMENT, BROWN KRAFT PAPER, OFFICE CHAIRS | 1,376.97 |
| A135840 | CHS CREDIT CARD DEPT | GASOLINE – SHERIFF | 3,388.62 |
| A135841 | CHASE DRUG STORE | PRISONER MEDICAL – SHERIFF; HAND SANITIZER – ELECTION | 1,485.60 |
| A135842 | CIRCLE SANITATION SERVICE | GARBAGE PICKUP | 337.00 |
| A135843 | CITY OF WASHBURN | WATER/SEWER – LAW ENFORCEMENT CENTER, COURTHOUSE | 464.60 |
| A135844 | DOC'S SHOP | WATER PUMP, BRAKES, OIL CHANGES – SHERIFF | 2,422.28 |
| A135845 | CALANDRIA JARBOE EDWARDS | TRAVEL | 43.60 |
| A135846 | MICHELLE EFFERTZ | TRAVEL | 109.00 |
| A135847 | ELECTRONIC COMMUNICATIONS | PROGRAMMING FEE – SHERIFF | 100.00 |
| A135848 | FARM & HOME PUBLISHERS, LTD | 10 McLEAN COUNTY PLAT BOOKS | 390.00 |
| A135849 | FIRST DISTRICT HEALTH UNIT | WATER TESTS – PARK | 44.00 |
| A135850 | GARRISON DIVERSION | JUNE COLLECTIONS | 1,006.62 |
| A135851 | BENJAMIN GEHRING | REIMBURSE JUNE CORONER EXPENSE | 750.00 |
| A135852 | CASSIE GOETZ | TRAVEL | 49.05 |
| A135853 | GERARD GOVEN | JUNE WATER BOARD TRAVEL/MEETINGS | 755.80 |
| A135854 | JB REPAIR INC | WINDSHIELD WIPERS – SHERIFF | 35.96 |
| A135855 | SHANNON JEFFERS | JUNE WATER BOARD TRAVEL/MEETINGS | 1,382.24 |
| A135856 | BETH KNUTSON | TRAVEL | 174.40 |
| A135857 | KORSMO FUNERAL SERVICE | INDIGENT BURIAL | 2,500.00 |
| A135858 | DOUG KREBSBACH | REIMBURSE FOR POLES, TOW ROPE | 173.60 |
| A135859 | LAKESIDE AUTO & SPORTS | OIL CHANGE – SHERIFF | 54.00 |
| A135860 | LEE, STEVE | JUNE TRAVEL | 81.75 |
| A135861 | MID-AMERICAN RESEARCH CHEM | VEG-A-KILL PLUS; 2,4D | 19.46 |
| A135862 | MCLEAN FAMILY RESOURCE CTR | DISBURSE MONTHLY COLLECTIONS | 740.00 |
| A135863 | MCLEAN COUNTY AUDITOR | JUNE POSTAGE – COUNTY AGENT | 88.89 |
| A135864 | ND ASSOCIATION OF COUNTIES | DISBURSE 10% E-911 COLLECTIONS | 1,020.49 |
| A135865 | NDACO RESOURCES GROUP | MANAGED SERVER PRO, MANAGED WORKSTATIONS PRO, COMPUTER MONITORING, MONTHLY BACKUP, | 1,896.86 |

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| | | ANTI-VIRUS SUBSCRIPTION – JUNE | |
| A135866 | LYNN OBERG | JUNE WATER BOARD TRAVEL/MEETINGS | 1,522.50 |
| A135867 | OFFICE DEPOT | 9 X 12 ENVELOPES, 6 X 9 ENVELOPES, HP 58A TONER, BUSINESS PAPER, PENS, WHITE VIEW BINDERS | 269.43 |
| A135868 | OTTERTAIL POWER COMPANY | BUTTE, TURTLE LAKE, WASHBURN & MAX SHOPS; COURTHOUSE; RADIO TOWER, LAW ENFORCEMENT CENTER | 6,075.59 |
| A135869 | RACO INDUSTRIES | BLACK RIBBON, PAPER LABELS | 340.88 |
| A135870 | RINKE NOONAN/ATTYS AT LAW | WATER LAW – BAUMAN WATER COURSE – WATER BOARD | 680.00 |
| A135871 | PAUL SANNES | REIMBURSE JUNE CORONER EXPENSE | 750.00 |
| A135872 | S & J HARDWARE | LIGHT BULBS, HOSE, NOZZLE, ADAPTER, OUTLET, BREAKER, O-RING – PARK | 139.28 |
| A135873 | ND STATE TREASURER | JUNE COLLECTIONS | 5,623.66 |
| A135874 | TAO INTERACTIVE INC | ANNUAL E-GOV WEBSITE HOSTING 9/1/2018 – 8/31/2019 | 599.95 |
| A135875 | UNICOM | UNITS S-11 & S-3 – INSTALL RADIO EQUIPMENT, LIGHT BARS | 6,028.15 |
| A135876 | VERIZON WIRELESS | HIGHWAY CELL SERVICE; ASSESSOR CELL SERVICE | 139.55 |
| A135877 | WARD COUNTY SHERIFF'S DEPT JUNE PAYROLL | DELIVER NOTICE OF TAX LIEN A detailed list of payroll funds expended is available for public inspection anytime during regular business hours in the McLean County Auditor's office. | 60.00 \$374,087.92 |

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

Moved by Lee, seconded by Krebsbach, to approve the Special Events permit Application from Marv's Bar of Turtle Lake for a wedding dance at Lake Brekken on July 28, 2018. Roll Call Vote: Aye: Lee, Krebsbach, and Suydam. Nay: None. Motion carried.

Received and ordered filed the fee collection report from the Sheriff's Department in the amount of \$1,198.48 for the month of June.

Received and ordered filed the fee collection report from the Recorder's office in the amount of \$9,553.30 for the month of June.

Korgel presented a financial recap for the period ending June 30, 2018 including the list of delinquent taxpayers owing more than \$4,000.00 which shows 50 taxpayers owing a total of \$426,766.99. On the revenue side the property taxes are at 97% collected with the discount compared to 96% in 2017. Government reimbursements including PILT, State Aid, Coal Severance, etc. are at \$1,420,255.14 compared to \$1,656,418.07 in 2017. Fees and Miscellaneous revenue are at \$793,428.44 compared to \$771,770.86 in 2017. On the expense side 51.39% or \$7,355,590.50 of the 2018 budget has been expended where normally 50.00% would be expended.

States Attorney Ladd Erickson joined the meeting along with Division Chief/Chief Game Warden Bob Timian of the ND Game & Fish Department. Erickson briefly discussed the road entering the National Guard facility west of Garrison as well as adjacent landowners in regards to fencing issues.

Erickson went on to present a resolution for the commission's approval to extend the high water boat restrictions given to Burleigh and Morton Counties through McLean County, to slow down bank erosion and protect private property. Discussion followed.

Alyssa Meier of BHG News Service joined the meeting.

Moved by Lee, seconded by Krebsbach, to approve the following resolution:

RESOLUTION

WHEREAS, the Missouri River and some of its tributaries are currently at or near flood stage as the U.S. Army Corps of Engineers passes excess water through the Garrison Dam, and high water levels in the River are expected through most of the summer of 2018;

WHEREAS, to reduce bank erosion and private land destruction, the North Dakota Game & Fish Department has established boat wake/speed limits for portions of the River as it traverses Burleigh County and Morton County, North Dakota;

RESOLVED: The McLean County Board of Commissioners respectfully requests the North Dakota Game & Fish Department extend the existing Burleigh-Morton high water boat restrictions all the way to the Garrison Dam.

Dated this 3rd day of July, 2018.

Barry Suydam, Chairperson
McLean County Commission

Doug Krebsbach
McLean County Commission

Steve Lee
McLean County Commission

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

Korgel presented the States Attorney budget for 2019 showing a 2% increase in the Salaries line item; the remaining line items remaining the same as 2018.

Korgel presented various budget proposals for 2019 including Unorganized Township Road showing an increase of \$50,000.00 in the Road Maintenance line item. The Election Expenses budget shows a decrease of \$30,000.00 in the Primary Election and General Election line items, with the remaining line items remaining the same. The budgets for Employee Benefits, Dues and Memberships, and McLean County Historical Society were also presented.

Korgel reported on a conference call he took part in regarding the PILT Class Action Lawsuit. In 2008, Congress significantly amended the Payments In-Lieu of Taxes (PILT) statute by mandating full funding through 2014. Congress also repealed the original statute language that made the program discretionary and subject to the annual congressional appropriations process. Due to insufficient appropriations for 2015–2017, PILT recipients did not receive the full amount to which they were entitled under the PILT statute based on the Department of the Interior’s full payment calculation. To participate in the class action lawsuit and collect possible amounts due them, each underpaid PILT recipient must complete and submit a form “opting into” the lawsuit. If a county does not elect to join the class, they will not be included in the class action lawsuit. Counties will have until mid-September to opt into the class. Korgel stated that McLean County was shorted about \$16,000.00.

Moved by Krebsbach, seconded by Lee, to authorize Korgel to submit the needed paperwork to be included in the class action lawsuit. Roll Call Vote: Aye: Lee, Krebsbach, and Suydam. Nay: None. Motion carried.

The Chairperson recessed the meeting at 10:48 AM

Chairperson Suydam reconvened the meeting at 11:12 AM

Brent Ekstrom, Executive Director, Lewis & Clark Development Group, joined the meeting to update the commission regarding the Lewis & Clark Regional Development Council.

There being no further business, the chairperson declared the meeting adjourned at 11:28 a.m. until the next regularly scheduled meeting on Tuesday, July 17, 2018. The commission minutes and agenda can be found on the county website at <http://www.mcleancountynd.gov>.

Barry Suydam, Chairperson

Nancy Leidholm, Deputy Auditor