

**McLean County Commission Proceedings**  
**Tuesday, July 5, 2017**

The first regular July meeting of the Board of Commissioners was called to order at 8:30 a.m. by Vice Chairperson Barry Suydam. Present were Commissioners Suydam and Steve Lee. Also present were Kevin Kirkey of the Lewis & Clark Interpretive Center, Auditor Leslie Korgel, Deputy Auditor Nancy Leidholm, and Stu Merry of BHG News Services. Absent was Commissioner Doug Krebsbach.

Moved by Lee, no second, to approve the minutes of the previous meeting as submitted. Roll Call Vote: Aye: Lee and Suydam. Nay: None. Absent and not voting: Krebsbach. Motion carried.

Kevin Kirkey, site manager for the Lewis & Clark Interpretive Center, joined the meeting to discuss a right-of-way issue off of County Road 17 on 28<sup>th</sup> Avenue SW that leads to Ft. Mandan. Neighboring land owners have built and are building fences that are interfering with utilities and Kirkey would like to see the fences moved back. Lee suggested contacting Highway Superintendent Jim Grey and States Attorney Ladd Erickson to get this taken care of.

Disaster Emergency Services Manager/Risk Management Officer Noelle Kroll joined the meeting with Risk Management accident statistics for the period of January 1, 2017 through June 30, 2017, showing 4 accidents needing medical attention and 15 accidents not requiring medical attention.

States Attorney Ladd Erickson joined the meeting and was instructed to take a look at County Road 17 regarding the right-of-way issue discussed earlier in the meeting.

Kroll was also present to update the commission regarding the burn ban executed at the June 20, 2017 meeting. She reported that she'd only received information on one fire so far. Korgel stated that he's not sure Kroll is getting the information she should from the Sheriff's department. Lee requested a letter from the Commission be sent to the Sheriff's department instructing them know to notify Kroll of any fires within the county as state and federal funding could be affected if not done. Kroll stated that she needs at minimum a daily report.

County Recorder Beth Knutson joined the meeting to present her 2018 budget. Knutson showed an increase in the Salary line item of 2%; the ravel line item shows no change from 2017; Capital Outlay/Equipment shows no change from 2017 at \$0.00; the Maintenance Agreement line item shows an increase from \$8,500.00 in 2017 to \$9,100.00 for 2018; Office Supplies shows a decrease from \$1,000.00 in 2017 to \$500.00 for 2018; and line item National Conferences has been removed.

Chief Deputy Auditor Lori Foss joined the meeting to present two job descriptions for Commission approval.

The job description for Extension Administrative Assistant showed minor modifications.

Moved by Lee, no second, to approve the job description of Extension Administrative Assistant as submitted. Roll Call Vote: Aye: Lee and Suydam. Nay: None. Absent and not voting: Krebsbach. Motion carried.

The job description for Director of Disaster Emergency Services showed added essential functions including but not limited to being available to law enforcement, responders, and state officials at all times for necessary communication; working closely with E-911 Coordinator to ensure proper system operation and proper procedures are being carried out; and coordinating and facilitates training for first responders, emergency response officials, and county departments; to more accurately depict the positions responsibilities.

Moved by Lee, no second, to approve the job description of Director of Disaster Emergency Services as submitted. Roll Call Vote: Aye: Lee and Suydam. Nay: None. Absent and not voting: Krebsbach. Motion carried.

Korgel presented the monthly financial reports ending June 30, 2017 including the delinquent taxpayers list owing over \$4,000.00 which consisted of 35 taxpayers owing \$281,390.09. Property taxes are at 96% collected with the discount compared to 96% in 2016. Fees and Miscellaneous Revenue are at \$771,770.86 compared to \$820,146.42 in 2016. Government reimbursements including PILT, State Aid, and Coal Severance are up because of higher oil and gas tax and coal severance taxes. So far in 2017 \$7,087,822.15 of the budget has been expended or 50.10% where normally we would be at 50%.

Received and ordered filed the fee collection report from the Sheriff's department for the month of June in the amount of \$1,598.40.

Received and ordered filed the fee collection report from the Recorder's office for the month of June in the amount of \$9,176.00.

Moved by Lee, no second, to approve the following vouchers for payment:

<b>CHECK #</b>	<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
A132994	WILLIAM CARLSON	REIMBURSE JULY CELL PHONE	30.00
A132995	CIRCLE SANITATION SERVICE	GARBAGE PICKUP – GARRISON & WASHBURN SHOPS	136.00
A132996	DALLAS SAILER ENTERPRISES	WAND, SWIVEL & NIPPLE	87.00
A132997	FILTER CARE OF GRAFTON	WASHED FILTERS	37.91
A132998	JOB SERVICE NORTH DAKOTA	QTR ENDING 6/30/2017 – HIGHWAY	768.99
A132999	MAYO CONSTRUCTION CO, INC.	ROAD PROJECT CP-2800(017)	325,114.89
A133000	MCLEAN SHERIDAN RURAL WATER	WATER	114.97
A133001	SCOTT'S HARDWARE	PARTS, WASHBURN SHOP SUPPLIES, PARTS FOR GAS PUMP	94.97
A133002	S & J HARDWARE	GARRISON SHOP SUPPLIES	12.48

A133003	TITAN MACHINERY	PARTS	378.86
A133004	UNDERWOOD FARM SUPPLY	PARTS	25.65
A133005	AMERIPRIDE LINEN & APPAREL	SHOP TOWELS, FLOOR MATS	167.92
A133006	AT&T MOBILITY	SHERIFF, STATES ATTORNEY CELL SERVICE; LAND USE – DATA CARD	204.53
A133007	CATHY BAILEY	REIMBURSE JURY SUPPLIES	78.76
A133008	BHG INC	NOTARY STAMP – HOWE, COMMISSION MINUTES, EQUALIZATION MEETING NOTICE, PLANNING & ZONING NOTICES	1,727.25
A133009	BUSINESS CARD	WEBROOT ANTI VIRUS, PAY OFF 3 HWY DEPARTMENT CELL PHONES	459.21
A133010	CHS CREDIT CARD DEPT	GASOLINE – SHERIFF	2,519.28
A133011	CIRCLE SANITATION SERVICE	GARBAGE PICKUP	337.00
A133012	CITY OF WASHBURN	WATER/SEWER – LAW ENFORCEMENT CENTER, COURTHOUSE	521.13
A133013	DAKOTA CENTRAL SOCIAL SVCS	REIMBURSE DCSS FOR FURNITURE	2,343.94
A133014	DOC'S SHOP	WATER PUMP, OIL CHANGES – SHERIFF	652.52
A133015	MICHELLE EFFERTZ	JUNE TRAVEL	111.28
A133016	FARMERS UNION SERVICE ASSOC	ADD (3) PATROL VEHICLES – SHERIFF	2,862.00
A133017	LORI A FOSS	JUNE TRAVEL	43.34
A133018	GARRISON DIVERSION	DISBURSE MONTHLY COLLECTIONS	3,127.71
A133019	GERARD GOVEN	WATER BOARD MEETINGS/TRAVEL	435.54
A133020	SHANNON JEFFERS	WATER BOARD MEETINGS/TRAVEL	1,219.70
A133021	LEE, STEVE	JUNE TRAVEL	99.51
A133022	MCLEAN FAMILY RESOURCE CTR	DISBURSE MONTHLY COLLECTIONS	649.35
A133023	MCLEAN COUNTY TREASURER	CORRECTION	11.47
A133024	MORTON COUNTY SHERIFF'S DEPT	INMATE HOUSING	75.00
A133025	ND ASSOCIATION OF COUNTIES	DISBURSE 15% E-911 COLLECTIONS	991.26
A133026	ND ASSN OF ASSESSING OFFICERS	NDAAO CONFERENCE/DUES – OBERG, SCHREINER	210.00
A133027	NORTHERN PLAINS EQUIPMENT CO	SPRAYER UNIT FOR SIDE BY SIDE – WEED CONTROL	2,372.00
A133028	NW TIRE	TIRES – SHERIFF	273.74
A133029	LYNN OBERG	JUNE WATER BOARD TRAVEL/MEETINGS	1,482.73
A133030	OFFICE DEPOT	PENS, APC BATTERY BACK-UPS, 6X9 BUBBLE MAILERS, HIGHLIGHTERS, CORRECT TAPE, CD SLEEVES, AA BATTERIES	228.10
A133031	OTTERTAIL POWER COMPANY	BUTTE, TURTLE LAKE, WASHBURN & MAX SHOPS; COURTHOUSE, RADIO TOWER, LAW ENFORCEMENT CENTER	4,919.75
A133032	SCOTT'S HARDWARE	OIL FILTER, CARB/CHOKE, FUEL TREATMENT, UTILITY PUMP, PLUG, FILTER CARTRIDGES, ROUND UP, BATTERIES, OIL	214.09
A133033	SEATOL	GIS DATABASE PROCESSING/TECH CONSULTING	500.00
A133034	SEVERIN, RINGSACK & MORROW	COURT APPOINTED COUNSEL	2,900.00
A133035	S & J HARDWARE	NUT, SANDPAPER, OUTLET, STAIN, SWITCH – PARK	260.46
A133036	ND STATE TREASURER	DISBURSE MONTHLY COLLECTIONS	2,702.77
A133037	STREICHER'S, INC	GUNS, AMMO – SHERIFF	416.00
A133038	THE ATTIC SPORTSMANS LOFT	AMMO, HOLSTERS	14,454.00
A133039	VERIZON WIRELESS	HIGHWAY CELL SERVICE, LAND USE CELL SERVICE	251.76
A133040	WASHBURN AUTO BODY LLC	MOUNT/BALANCE TIRES, TIRES, LIFT MOTOR, WINDSHIELD – BLAZER; TIRES – ATV – WEED CONTROL	1,849.13
	JUNE 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.	\$361,223.63

Roll Call Vote: Aye: Lee and Suydam. Nay: None. Absent and not voting: Krebsbach. Motion carried.

The Vice Chairperson recessed the meeting at 9:34 a.m.

The Vice Chairperson reconvened the meeting at 10:00 a.m. and opened a public bond hearing.

Tom Spain, Director of Finance for Garrison Memorial Hospital (GMH) and Community Memorial Hospital of Turtle Lake (CMH), was present to discuss the County's assistance in a bond issuance matter. Catholic Health Initiatives (CHI) which owns GMH and CMH, is proposing to have a series of bonds issued by the Colorado Health Facilities Authority and is considering applying a portion of those proceeds to GMH and CMH. In order to do so, for federal tax purposes, they need to obtain "host approval" from an appropriate jurisdiction and would like the county to be that jurisdiction and assist them in obtaining this approval. There is no financial obligation to the county and there was no one present in opposition to this request.

Moved by Lee, no second heard, to approve the following resolution:

RESOLUTION 2017-3

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF  
McLEAN COUNTY, NORTH DAKOTA CONCERNING REVENUE  
BONDS, SERIES 2017 (CATHOLIC HEALTH INITIATIVES) TO BE  
ISSUED BY THE COLORADO HEALTH FACILITIES AUTHORITY.

WHEREAS, the Board of County Commissioners (the "Board") of McLean County, North Dakota (the "County") has received a request from Catholic Health Initiatives, a nonprofit corporation organized and existing under the laws of the State of Colorado ("CHI"), to approve the issuance by the Colorado Health Facilities Authority ("COHFA") of its Revenue Bonds, Series 2017 (Catholic Health Initiatives) in one or more series (the "Bonds"), the proceeds of which will be loaned to CHI.

WHEREAS, a portion of the proceeds of the Bonds in an amount not to exceed \$15,000,000 will be used to finance or refinance the cost of the acquisition by CHI of certain health care and related facilities of St. Alexius Medical Center and its subsidiaries and affiliates (collectively, "SAMC"), including Garrison Memorial Hospital ("GMH"), as well as certain costs of constructing, renovating and equipping those facilities (collectively, the "Local Projects");

WHEREAS, the "Local Projects" are owned and operated by CHI, SAMC, GMH and/or their subsidiaries or affiliates and are located at the following addresses within the County: 1177 Border Ln, Washburn; 220 5<sup>th</sup> Ave., Turtle Lake, North Dakota; and 407 3<sup>rd</sup> Ave. SE and 121 5<sup>th</sup> St. SE, Garrison, North Dakota;

WHEREAS, the principal of and interest on the Bonds will not constitute a debt of COHFA or the County, nor shall the Bonds be payable from a tax of any nature levied upon any property within the County more within any other political subdivision of the State of North Dakota. The Bonds will be payable only from the revenues and resources of CHI;

WHEREAS, the Internal Revenue Code of 1986, as amended, (the "Code") authorizes the issuance of revenue bonds for a "qualified 501(c)(3) entity," such as CHI;

WHEREAS, Section 147(f) of the Code requires that qualified 501(c)(3) bonds be approved by the applicable elected representatives of the governmental unit having jurisdiction over the area in which the Local Projects are located;

WHEREAS, CHI has requested that the County provide its approval in accordance with the requirements of Section 147(f) of the Code;

WHEREAS, pursuant to the requirements of Section 147(f) of the Code, the Chairperson of the Board (the "Board Chair"), as the applicable elected representative of the governmental unit having jurisdiction over the area in which the Local Projects are located (the County), will consider the approval of the issuance of the Bonds COHFA to provide for the financing or refinancing of the Local Projects following a public hearing;

WHEREAS, the Board has conducted a public hearing regarding the issuance of the Bonds after public notice thereof was published in the *McLean County Independent* on June 8, 2017, and at that hearing invited oral and written comments from the public;

WHEREAS, the County now finds that it would be in the best interest of the County to approve of the issuance of the Bonds by COHFA to provide for the financing or refinancing of the Local Projects.  
NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF McLEAN COUNTY, NORTH DAKOTA RESOLVES, AS FOLLOWS:

Section 1. Having held the public hearing, the Board approves of the issuance of the Bonds by COHFA to provide for the financing or refinancing of the Local Projects and authorizes the Board Chair, as the applicable elected representative of the governmental unit having jurisdiction over the area in which the Local Projects are located, to approve of the issuance of the Bonds by COHFA to provide for the financing or refinancing of the Local Projects.

Section 2. The Bonds shall not constitute a change, lien or encumbrance, legal or equitable, upon any property of the County and this approval is given only for the purpose of Section 147(f) of the Code; it is not intended nor should it be construed to be any review or approval by the Board Chair, the Board of the County of the credit of CHI or any type of guaranty by the Board Chair, the Board or the County of repayment of the Bonds.

Section 3. The Board Chair, the County Auditor, the County Clerk and other officers, employees and agents of the County are hereby authorized to assist COHFA, CHI and their respective counsel, and bond counsel, in preparation of documents relating to the Bonds.

Section 4. The provisions of this Resolution are hereby declared to be severable, and if any section, phrase or provision shall, for any reason, be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Resolution.

Section 5. All resolutions, orders or parts thereof in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed.

Section 6. It is found and determined that all formal actions of the Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Board, and that all deliberations of the Board and

of its committees, if any, that resulted in such formal action occurred in meetings open to the public, all in compliance with applicable law and the rules of the Board.

Section 7. This Resolution shall take effect immediately upon its adoption by the Board.

ADOPTED this 5<sup>th</sup> day of July, 2017.

I hereby certify that the foregoing Resolution is a true and correct copy of the Resolution presented to and adopted by the Board of County Commissioners of McLean County, North Dakota at a duly authorized meeting thereof held on the 5<sup>th</sup> date of July, 2016, as shown by the minutes of said meeting in my possession.

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Secretary of the Board of County Commissioners  
of McLean County, North Dakota

Roll Call Vote: Aye: Lee and Suydam. Nay: None. Absent and not voting: Krebsbach. Motion carried.

The Chairperson adjourned the public hearing and reconvened the County Commission meeting at 10:04 a.m.

There being no further business, the chairperson declared the meeting adjourned at 10:04 a.m. until the next regularly scheduled meeting on Tuesday, July 18, 2017. The commission minutes and agenda can be found on the county website at <http://www.mcleancountynd.gov>.

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Barry Suydam, Vice Chairperson

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Nancy Leidholm, Deputy Auditor