

**McLean County Commission Proceedings
Tuesday, November 21, 2017**

The final regular November meeting of the Board of Commissioners was called to order at 8:31 a.m. by Chairperson Doug Krebsbach. Present were Commissioners Krebsbach, Barry Suydam, and Steve Lee. Also present were Auditor Les Korgel, Deputy Auditor Nancy Leidholm, along with Stu Merry and Alyssa Adam of BHG News Services.

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

Korgel informed the Commission that Highway Superintendent Jim Grey could not attend today's meeting and presented a report on his behalf. Korgel stated that mowing is completed; motor graders and plow trucks are all geared up for the winter season; crews are hoping to get tree trimming done before the snow gets too high; and they will continue finishing up with riprapping on road projects while weather allows. Korgel then presented a permit request from the City of Mercer.

Moved by Lee, seconded by Suydam, to approve the permit request from the City of Mercer to install and maintain six inch directional bored c900 water main pipe under County Road 23 through town for the purpose of connecting the city of Mercer to McLean-Sheridan Rural Water District. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Korgel presented his final recommendations for minimum sale prices on 2014 forfeited properties. Korgel stated that the price has to be either the fair market value as set by the county assessor or the amount of back taxes owed on the properties, whichever is higher. The sale will be held today at 10:00 a.m. in the commission chambers of the McLean County Courthouse. The minimum sale prices recommended by Korgel are as follows:

Parcel #	Legal Description	Minimum Sale Price
City of Max		
76-1-55*	Lots 3-4, Block 9	\$2,800.00
Unplatted		
76-3001-247	100' x 150' lying 35' N and 35' E of Lot 1, Block 22	\$2,700.00
76-3001-250*	150' x 150' lying 135' N and 35' E of Lot 1, Block 22	\$400.00
City of Washburn		
G. C. Hoffman's Addition		
81-805-4-10*	S 29' Lot 8	\$600.00
Unplatted		
81-3001-67*	293.7' x 445' in Section 13, Township 144 North, Range 82 West	\$2,557.00

*VACANT LOTS

Moved by Suydam, seconded by Lee, to approve the appraised value of property taken for delinquent 2014 taxes for today's tax sale at 10:00 a.m. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Moved by Suydam, seconded by Lee, to approve the sale of unsold tax sale properties to the cities for \$1.00 plus recording fees. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Moved by Lee, seconded by Suydam, to approve a two-year Contract for Deed with Chris and Bobbie Maxwell for property described as the S½ of Lots 7-8, Block 24, Original Townsite, Underwood, for the amount of \$1,434.51 which includes a down payment of \$344.00. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Korgel presented the mineral resource report showing oil production down with a slight price increase in the market.

Korgel informed the commission that another Certificate of Indebtedness would need to be done to make cash flow.

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

RESOLUTION

Be it resolved that because of continuing low prices of crude oil and the drop in sales tax collections in North Dakota, McLean County is having a shortfall in revenues expected for 2017 which therefore is causing a cash flow problem during the current fiscal year of 2017.

Therefore, the McLean County Commission this 21st day of November, 2017, resolves to issue \$100,000.00 under the North Dakota Century Code (NDCC) Chapter 21-02 to help alleviate the cash flow problem.

Therefore, as required by NDCC, McLean County will repay the loan by the end of the fiscal year 2017 (December 31, 2017) from funds received in the general fund.

Doug Krebsbach, Chairperson
November 21, 2017

Leslie Korgel, Auditor
November 21, 2017

Korgel reported that he was waiting on \$200,000.00 to come in but it may not come in until December. Lee stated this is for cash flow and will be paid off in December.

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

Chief Deputy Auditor Lori Foss presented the job description for the Detective position with an amended item clarifying the Detective's role in property storage within the department which had been questioned by Commissioner Lee at the previous meeting.

Moved by Lee, seconded by Suydam, to approve the updated job description for Detective as presented by Foss. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Land Use Administrator Todd Schreiner and Land Use Assistant Cassie Goetz joined the meeting with recommendations from yesterday's Planning & Zoning Commission meeting.

Moved by Suydam, seconded by Lee, to concur with the Planning & Zoning Commission and approve the request from Falkirk Mining Company for a conditional use permit for land described as portions of Sections 3, 4, 5, 8, 9 and 10, Township 146 North, Range 82 West, to conduct surface coal mining, subject to the approval and regulations of mining operations by the North Dakota Public Service Commission. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Moved by Lee, seconded by Suydam, to concur with the Planning & Zoning Commission and approve the request from Fisher Sand & Gravel Company for a conditional use permit for land described as the NE¼ of Section 24, Township 145 North, Range 79 West, including 25 acres, to operate a sand and gravel pit for mining, processing and selling of sand and gravel products. Lee questioned a road policy. Krebsbach stated that it had been taken care of. Schreiner presented the Haul Road Agreement between Fisher Sand & Gravel Company and JMAC. Discussion followed. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Schreiner next discussed inundated lands applications. The first application was from Linda Silverthorn for land described as 18 acres in the SE¼ of Section 13, Township 149 North, Range 86 West. Schreiner was onsite to view

this property on September 21st and found it to be a dry slough that has been there forever and because of this reported to the Commission that he felt this request did not qualify.

The next application was from Mike Carlson for land described as 12 acres in the N½N½ of Section 19, Township 149 North, Range 85 West. Schreiner was onsite to view this property on September 21st. Dennis Sletten’s application included two pieces of property, the first one being 35 acres located in the S½NE¼, NW¼SE¼, Lot 2, Section 4, Township 149 North, Range 86 West and the second application being 40 acres located in the NE¼SE¼, Lot 1, Section 4, Township 149 North, Range 86 West with Schreiner being onsite to view these properties on October 12th. Schreiner requested approval of these three properties.

Moved by Lee, seconded by Suydam, to approve the inundated land requests submitted by Carlson and Sletten as presented by Schreiner. Lee stated that there is no reason to question Schreiner’s findings as he has been onsite and is knowledgeable of the rules pertaining to inundated lands. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Clerk of Court Cathy Bailey joined the meeting to discuss applying for a Court Facilities Improvement Grant to purchase two new attorney tables for the courtroom as the existing tables are too small as well as have the existing benches refinished to match the Cherrywood in the courtroom as they are currently scarred up. Bailey stated that the existing tables can be utilized in the lobby of the courtroom. Lee questioned if the refinishing of the benches would be covered under the grant to which Bailey responded that Judge Bruce Romanick had suggested applying to upgrade the tables and felt the benches would qualify as well. The deadline for the grant application is December 31, 2017 and Bailey has contacted Roughrider Industries for a quote on the tables but has not heard back yet. The county is required by statute to provide local funding for the project in an amount equal to at least 25% of the project’s total cost.

Moved by Lee, seconded by Suydam, to approve the application for the Court Facilities Improvement Grant for the purchase of two new attorney tables and the refinishing of exiting benches in the courtroom with 25% of the project to be funded by the County. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Steve Cottingham of Falkirk Mining Company joined the meeting. Hearings are scheduled for December 5, 2017 at 10:00 and 10:15 for section line road closures and right-of-ways, respectfully.

The Commission discussed possible upcoming changes in state funding for the NDSU Extension office.

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

CHECK #	VENDOR	DESCRIPTION	AMOUNT
A134069	3D SPECIALTIES	SIGNS	2,432.70
A134070	ACME TOOLS	CHAINSAW PARTS	126.80
A134071	CERTIFIED POWER, INC	PARTS	274.71
A134072	ENERBASE COOP RESOURCES	FUEL AT TURTLE LAKE SHOP, MOLYPIX	4,355.10
A134073	GARRISON CITY	GARBAGE/WATER	52.96
A134074	GCR TIRE CENTERS	TIRES	676.34
A134075	GENERAL SCRAP, INC O/A	ANGLE, TUBE & FLAT IRON	272.20
A134076	INTERSTATE POWER SYSTEMS INC.	PARTS FOR MOWERS	89.09
A134077	JOHN DEERE FINANCIAL	PARTS, DEF & OIL	2,190.92
A134078	MDU	WASHBURN, TURTLE LAKE, MAX & GARRISON SHOPS	414.93
A134079	PRAXAIR DISTRIBUTION	PARTS	358.24
A134080	VINING OIL	FUEL AT WASHBURN SHOP	19,698.98
A134081	CHARM-TEX, INC.	PERSONAL HYGIENE PRODUCTS, CLOTHING, MATTRESSES – SHERIFF	1,670.60
A134082	CHI ST A HEALTH TURTLE LAKE	LIPID, GLUCOSE & PSA TESTING - COUNTY WELLNESS	1,484.72
A134083	CULLIGAN WATER CONDITIONING	PORTABLE EXCHANGE RENTAL – PARK	45.00
A134084	DAKOTA AWARDS	DELINQUENT TAX STAMP – RECORDER;	161.98

A134085	DOC'S SHOP	(2) DISTRICT COURT SEAL STAMPS REPLACE POWER STEERING, BATTERY SWITCH, OIL CHANGES – SHERIFF	618.35
A134086	CALANDRIA JARBOE EDWARDS	REIMBURSE NOVEMBER CELL PHONE, WREATH CLASS SUPPLIES	867.50
A134087	MICHELLE EFFERTZ	REIMBURSE NOVEMBER CELL PHONE, EDUCATION SUPPLIES	33.48
A134088	LADD R ERICKSON	OCTOBER TRAVEL	53.50
A134089	FEDEX	SHIPMENT TO NMS LABS – STATES ATTORNEY	56.66
A134090	HOLIDAY INN-FARGO	ACCOMMODATIONS FOR NDSU FALL CONFERENCE – EDWARDS, EFFERTZ	495.24
A134091	LESLIE M HULTBERG	REIMBURSE HEALTH INSURANCE – APRIL THRU OCTOBER 2017	4,908.81
A134092	KEN'S BODY SHOP	IMPOUNDS – SHERIFF	2,025.00
A134093	NOELLE KROLL	REIMBURSE NOVEMBER CELL PHONE	30.00
A134094	LEXIPOL LLC	DTB SUBSCRIPTION SERVICE – SHERIFF	3,371.00
A134095	M & M SPORTING	4 BLACK HAWK SERPA NO. 25 9/40 HOLSTERS – SHERIFF	171.16
A134096	MAILFINANCE	NEOPOST METER RENTAL 12-08-17 TO 3-07-18	868.44
A134097	CURT MALO	REIMBURSE NOVEMBER CELL PHONE	30.00
A134098	MCLEAN COUNTY AUDITOR	OCTOBER POSTAGE – COUNTY AGENT	22.00
A134099	MDU	GAS – LAW ENFORCEMENT CENTER, COURTHOUSE	398.46
A134100	MENARD'S	MOP BUCKET, (3) 9" LED LIGHT EDGE	125.94
A134101	MIDCONTINENT CABLE CO	CABLE TV – SHERIFF	98.64
A134102	MORPHOTRAK	LEXMARK FINGERPRINT PRINTER – SHERIFF	1,550.00
A134103	NDAE4-HYW	NDAE4-HHYW STATE & NATIONAL DUES	100.00
A134104	ND SAFETY COUNCIL	ANNUAL MEMBERSHIP DUES	275.00
A134105	ND SURPLUS PROPERTY/OMB	SAFETY GLOVES – MALO – PERSONAL USE	20.00
A134106	ND STATE BAR ASSOCIATION	ANNUAL LICENSE FEE FOR 2018 – STATES ATTORNEY	380.00
A134107	RYAN OBERG	REIMBURSE NOVEMBER CELL PHONE	30.00
A134108	OFFICE DEPOT	4 CHAIR MATS – SHERIFF; RUBBER BANDS, BUSINESS PAPER, GREEN COPY PAPER, LABELS, 9X12 ENVELOPES, HEAVY DUTY STAPLES	353.51
A134109	PHARMCHEM INC.	SWEAT PATCH ANALYSIS – SHERIFF	125.00
A134110	RICHARD HULTBERG	NOVEMBER PLANNING & ZONING TRAVEL	40.66
A134111	JOHN MATTHEWS	NOVEMBER PLANNING & ZONING TRAVEL	38.52
A134112	DONALD FLINN	NOVEMBER PLANNING & ZONING TRAVEL	10.70
A134113	ROGER BRITTON	NOVEMBER PLANNING & ZONING TRAVEL	13.38
A134114	SANFORD HEALTH	INMATE MEDICAL – SHERIFF	2,288.00
A134115	CHI ST ALEXIUS HEALTH	INMATE MEDICAL – SHERIFF	400.00
A134116	WEX BANK	GASOLINE – SHERIFF	6,414.62

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

The Commission again discussed shifting the position of County Auditor from an elected position to an appointed position. Korgel stated that his term will end April 1, 2019. Lee questioned if the position continues as an elected position when the new Auditor would begin. Korgel responded stating that they would officially begin April 1, 2019. Lee feels it would be ideal to bring that person on early to get some knowledge of the position before Korgel's retirement. If Korgel retires before the end of his term the new Auditor would be appointed until their term would

begin. Lee then questioned if the position became appointed who determines how long the appointment would be. Korgel stated that it would be up to the Commission.

Krebsbach stated that because of the feedback he has received from county residents he is not in support of changing the position from elected to appointed. Lee added that in discussions he's had residents feel it should remain an elected position. Both Suydam and Korgel reported hearing about 50/50 for and against changing the position. Lee feels it should remain the way it is and recommended a contingency fund be made available during next year's budgeting process in case someone elected cannot do the job and the county must hire someone else to do the job. He feels the county should budget for a full salary for at least a year to be safe.

Moved by Lee, seconded by Suydam, to keep the Auditor position as an elected position. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

The Chairperson recessed the meeting at 9:32 a.m.

The Chairperson reconvened the meeting at 9:42 a.m.

Sheriff J. R. Kerzmann and Chief Deputy Sheriff Richard Johnson joined the meeting to request replacing a 2011 Ford Expedition that was totaled on September 23, 2017 east of Garrison at the junction of Highway 83 and Highway 37 using the insurance money along with funds from the Sheriff's Forfeiture account. Korgel recommended ordering a replacement for the Expedition because it's a valuable piece of equipment for the fleet. Krebsbach questioned Korgel if it'll work to take the \$10,000.00 insurance money and use forfeiture funds to cover the rest of the expense. Korgel stated he'd make it work.

Moved by Lee, seconded by Suydam, to approve ordering a new 2018 Ford Expedition to be paid for with insurance money and forfeiture funds. Roll Call Vote: Aye: Suydam, Lee, and Krebsbach. Nay: None. Motion carried.

Discussion followed regarding forfeited vehicles and using funds from the sale of those vehicles towards the purchase of additional patrol vehicles.

There being no further business, the chairperson declared the meeting adjourned at 9:55 a.m. until the next regularly scheduled meeting on Tuesday, December 5, 2017. The commission minutes and agenda can be found on the county website at <http://www.mcleancountynd.gov>.

Doug Krebsbach, Chairperson

Nancy Leidholm, Deputy Auditor