

McLean County Commission Proceedings

Tuesday, April 19, 2022

The second 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; Deputy Auditor Diane L. Blumhagen; Director of Disaster Emergency Services Noelle Kroll; Wade and Amanda Haseleu; Art Ziemann; and Ralph Mancini of NorDak North Publishing.

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

Kroll presented a boring permit request from West River Telecommunications Cooperative requesting to bore 20th Ave NW (County Road 25E) in Section 10, Township 146 North, Range 81 West placing fiber in highway right-of-way.

Moved by Cottingham, seconded by Suydam, to approve the boring permit request from West River Telecommunications Cooperative as presented. Roll Call Vote: Aye: Cottingham, Suydam, and Lee. Nay: None. Motion carried.

Kroll discussed a Snow Emergency Declaration for McLean County. The declaration, if approved, would be in place in the event there would be future funding available for excessive snow amounts.

Moved by Suydam, seconded by Cottingham, to adopt the 2022 Snow Emergency Declaration as follows:

2022 Snow Emergency Declaration
for
McLean County, North Dakota
April 19, 2022

Whereas, McLean County has experienced excessive snow fall amounts since April 12, accumulating snow depth, with high winds creating snow drifting, and is forecast to continue for the foreseeable future; and

Whereas, heavy snowfall, accumulating snow depth, blizzard conditions, and wind related snow drifting of snow has resulted in road closures throughout the county; and

Whereas, the impacts of snow fall, drifting snowfall, zero visibility, and blocked roads has threatened the well-being and public safety of citizens of McLean County; and

Whereas, the heavy snow fall has caused significant consequences for those in agriculture whose livestock have perished as a result; and

Whereas, the cost of equipment repairs and expense and time of snow removal operations on county roads is in excess of available county resources and funds; and

Whereas, this snow event has severely disrupted the mobility of the emergency responders, and this, in turn, has caused serious disruptions in health, safety and welfare within McLean County; and

Now, Therefore, be it Resolved, that the Board of McLean County Commissioners declares a state of emergency exists in McLean County, North Dakota.

Dated at Washburn, North Dakota this 19th 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.

Knutson presented the updated language for the county ballot measure regarding transfer of levying authority due to an expiring levy for road maintenance as follows:

McLean County currently levies a total of twenty (20) mills for road levies. Ten (10) of those mills come from the farm-to-market levy, which is expiring, and the remaining ten (10) mills is the general county road and bridge levy. In order to maintain an up to twenty (20) mill road levy as it currently is, a majority vote is required. Given the farm-to-market levy of ten (10) mills is expiring, should the McLean County Commissioners have the authority to levy up to twenty (20) mills in the county road & bridge fund in order to maintain the current levy authority for dedicated county road and bridge funding pursuant to NDCC Chapter 57-15-06.7(5)?

Yes – means you are in favor of levy authority up to 20 mills for Road & Bridge.

No – means you are NOT in favor of levy authority up to 20 mills for Road & Bridge.

Moved by Cottingham, seconded by Suydam, to approve the county ballot measure. Roll Call Vote: Aye: Suydam, Cottingham, and Lee. Nay: None. Motion carried.

Knutson requested to amend the resolution from December 7, 2021, establishing polling locations changing Precinct 280402's polling location from Arikara Cultural Center to White Shield Community Center.

Moved by Suydam, seconded by Cottingham, to adopt the Amended Resolution Establishing County Election Precincts and Polling Locations as follows:

Amended Resolution Establishing County Election Precincts and
Polling Locations Beginning January 1, 2022

Be it Resolved, the McLean County Board of Commissioners does hereby establish six (6) election precincts within and for said McLean County, effective January 1, 2022, and acknowledges that said McLean County is keeping in the guidelines established by the 2002 Help America Vote Act (HAVA).

Be it Further Resolved, that McLean County shall have conduct vote by mail elections in 2022. The precincts and polling locations are as follows:

- Precincts:
 - 280801 Legislative District 8 - McLean County
 - 280401 Legislative District 4B - McLean County Less 280402
 - 280402 Legislative District 4A - McLean County-Fort Berthold Reservation
 - 280601 Legislative District 6 - McLean County-South McLean SCD
 - 280602 Legislative District 6 - McLean County-West McLean SCD
 - 283301 Legislative District 33 - McLean County

- Polling Locations: Open 7:00 AM-7:00 PM
 - Vote Centers (all ballots available to any qualified McLean County voter)
 - Washburn Memorial Hall, 805 Main Ave, Washburn, ND 58577
 - Garrison City Auditorium, 15 Main St S, Garrison, ND 58540
 - American Legion Auditorium, 23 2nd Ave East, Turtle Lake, ND 58575

 - Polling Place (ballots only available to Precinct 280402 voters)
 - White Shield Community Center, 1501 S Main St., Roseglen, ND 58775

Dated this 19th date of April, 2022, at Washburn, North Dakota.

Steve Lee, Chairperson
McLean County Commission

Attest:

Beth A. Knutson
McLean County Auditor

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

Knutson discussed scheduling the annual joint meeting of the commission with local city governing boards.

Moved by Cottingham, seconded by Suydam, to approve scheduling the annual city/county joint meeting for 6:00 p.m. on Tuesday, May 31, 2022, at the Underwood City Hall. Roll Call Vote: Aye: Suydam, Cottingham, and Lee. Nay: None. Motion carried.

Knutson requested an amendment to the Gaming Site Authorization previously submitted and approved for Strawberry Lake Improvement Association (SLIA) at the Strawberry Kooler/Strawberry Lake Association Building. Changing the beginning date to July 1, 2022, and the ending date to June 30, 2023.

Moved by Cottingham, seconded by Suydam, to amend the previously submitted and approved Gaming Site Authorization beginning and ending dates as submitted for SLIA. Roll Call Vote: Aye: Cottingham, Suydam, 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: Director of Disaster Emergency Services, Administrative Assistant II/Risk Manager, Assistant Road Superintendent, Equipment Operator II, Equipment Operator III, Equipment Operator II/Sign Technician, Road Superintendent, Shop Foreman, Director of Tax Equalization/Land Use Administrator, Property Assessor, and Veteran Service Officer.

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

Cammie Wright of NorDak North Publishing joined the meeting.

Foss presented an Armor Interactive quote for a new laptop which includes Microsoft Office 2021 for the State's Attorney office in the amount of \$1,452.79.

Moved by Cottingham, seconded by Suydam, to approve the purchase of new laptop with Microsoft Office 2021 in the amount of \$1,452.79. Roll Call Vote: Aye: Cottingham, Suydam, and Lee. Nay: None. Motion carried.

State's Attorney Ladd Erickson joined the meeting.

Building Maintenance Supervisor Curt Malo joined the meeting.

Foss informed the commissioners of a possible annexation request coming from a McLean County resident. The request to annex from Parshall School District No. 3 to Lewis & Clark School District No. 161 in Mountrail County. Foss requested the commission to appoint Jodi Johnson of Ward County as Superintendent of Schools Designee to utilize Johnson's services for the purpose of this annexation request only.

Moved by Cottingham, seconded by Suydam, to appoint Jodi Johnson as Superintendent of Schools Designee for the purpose of this annexation request only. Discussion followed. Roll Call Vote: Aye: Cottingham, Suydam, and Lee. Nay: None. Motion carried.

Tax Director Todd Schreiner and Property Assessor Elizabeth Patterson joined the meeting.

Foss requested and received approval to enroll in the ND Human Resource Boot Camp webinar. Lee stated that training under \$500.00 does not require a motion.

Malo presented quotes from Semchenko Electric Inc. of Max, ND; Malo Electric, of Rolla, ND; and Weber Electric Inc. of Washburn, ND, for the replacement of lighting in Garrison and Turtle Lake Shops. Malo advised accepting the quote from Weber Electric Inc.

Moved by Cottingham, seconded by Suydam, to accept the quote from Weber Electric Inc., of Washburn, ND, not to exceed \$14,000.00. Roll Call Vote: Aye: Cottingham, Suydam, and Lee. Nay: None. Motion carried.

David Straley from Falkirk Mining Company joined the meeting.

Chairperson Lee recessed the meeting at 8:55 a.m.

Chairperson Lee reconvened the meeting at 9:00 a.m.

Moved by Suydam, seconded by Cottingham, 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.

Patterson presented an application submitted by Otter Tail Power Company, of Devils Lake, ND, requesting a zoning change involving land described as Lot 1 of Outlot B in SE¼ of Section 22, Township 145 North, Range 82 West, of McLean County, consisting of 0.997 acres. The above-named applicant seeks a zoning change to allow the construction of a new electrical substation to serve the area.

Moved by Cottingham, seconded by Suydam, to concur with the Planning and Zoning Commission and approve the request for a zoning change from Otter Tail Power Company, of Devils Lake, ND, involving land described as Lot 1 of Outlot B in SE¼ of Section 22, Township 145 North, Range 82 West, of McLean County, consisting of 0.997 acres. Roll Call Vote: Aye: Cottingham, Suydam, and Lee. Nay: None. Motion carried.

Patterson presented an application submitted by Danna and Robert Bossert III, of Minot, ND, requesting a variance of the setback requirements involving land described at Lot 4B, Crooked Lake Subdivision, Township 148, Range 80. The above-named applicant seeks a variance to allow the construction of a structure closer than the required 25 feet from the front lot line.

Moved by Cottingham, seconded by Suydam, to concur with the Planning and Zoning Commission and approve the request for a variance setback from Danna and Robert Bossert III, of Minot, ND, involving land described at Lot 4B, Crooked Lake Subdivision, Township 148, Range 80. Roll Call Vote: Aye: Suydam, Cottingham, and Lee. Nay: None. Motion carried.

Erickson presented a Conditional Use Permit for the Falkirk Mining Co., which included special provisions 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. Discussion followed between Haseleus, Erickson, and the commissioners.

Moved by Suydam, seconded by Lee, to approve the Conditional Use Permit for the Falkirk Mining Co. which included special provisions 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. Roll Call Vote: Aye: Suydam and Lee. Nay: None. Abstaining from voting: Cottingham. Motion carried.

Malo rejoined the meeting.

The board along with Knutson completed the annual performance reviews of Clerk of Court Bonnie Bohnsack, Road Superintendent James Grey, Building Maintenance Supervisor Curt Malo, Disaster Emergency Services Director Noelle Kroll, and Tax Director/Veteran's Service Officer/E-911 GIS Mapping Technician Todd Schreiner.

There being no further business, the chairperson declared the meeting adjourned at 9:24 a.m. until the next regularly scheduled meeting on Tuesday, May 3, 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