

**McLean County Commission Proceedings  
Tuesday, June 4, 2024**

The first regular June meeting of the Board of Commissioners was called to order at 8:30 a.m. by Chairperson Steve Cottingham. Present were Commissioners Cottingham, Steve Lee and Barry Suydam. Also present were Auditor Beth A. Knutson; Deputy Auditor Diane L. Blumhagen; Road Superintendent James Grey; Wanda Cleveland; and Dennis Cleveland.

Grey reported that overlay in the Butte area has started as well as graveling across the county. Discussion followed.

Grey discussed the door openers at the outshops as all need to be replaced. There are funds in the budget for this replacement.

Grey discussed area boat docks. Discussion followed regarding the contract with North Dakota Game and Fish.

Building Maintenance Supervisor Curt Malo joined the meeting.

Knutson stated that the Director of Emergency Service items are no longer on the agenda due to Kroll being absent.

Malo stated that swinging shower doors are a state mandate and eight need to be installed in the Law Enforcement Center (LEC). He requested approval to hire help to install the shower doors, which will be billed as time and material and will not exceed \$2,500.00.

Moved by Lee, seconded by Suydam, to approve hiring help to install eight swinging shower doors at the LEC with a cost not to exceed \$2,500.00. Discussion followed. Roll Call Vote: Aye: Lee, Suydam and Cottingham. Nay: None. Motion Carried.

Knutson requested approval to advertise for board appointments. Donna Sommer has served her maximum of two terms on the library board and her position will be open. The request included an appointment for an open board position on the Dakota Central Human Service Zone (DCHSZ Board). These positions will be appointed the first meeting in July retroactive to July 1, 2024.

Moved by Suydam, seconded by Lee, to advertise for open board positions for the Library and DCHSZ Boards. Discussion followed. Roll Call Vote: Aye: Suydam, Lee, and Cottingham. Nay: None. Motion carried.

Knutson presented the Pledge of Securities received from TruCommunity Bank. Total public deposits were \$25,405,727.58 and total pledged securities were \$29,475,900.00 on May 31, 2024.

Moved by Lee, seconded by Suydam, to accept the Pledge of Securities from TruCommunity Bank. Roll Call Vote: Aye: Suydam, Lee, and Cottingham. Nay: None. Motion carried.

Moved by Suydam, seconded by Lee, to approve the DCHSZ Transfer of Funds Resolutions and the McLean County Auditor's Sweep Account Transfer of Funds Resolution. Discussion followed. Roll Call Vote: Aye: Lee, Suydam, and Cottingham. Nay: None. Motion carried.

DCHSZ Transfer of Funds Resolutions and the McLean County Sweep Account Transfer of Funds Resolutions are on file in the McLean County Auditor's Office.

Received and ordered filed the fee collection report from the Recorder's Department for the month of May in the amount of \$8,553.60.

Received and ordered filed the fee collection report from the Sheriff's Department for the month of May in the amount of \$3,286.10.

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

<b>CHECK #</b>	<b>VENDOR NAME</b>	<b>HIGHWAY DEPARTMENT DESCRIPTION</b>	<b>AMOUNT</b>
309150	DACOTAH PAPER CO	GARBAGE BAGS	46.11
309151	GARRISON LUMBER	SUPPLIES FOR SIGNING	143.05
309152	HIGHWAY 83 LAWN LEISURE & SUPPLY	FLAT BORING BIT FOR SIGNING	13.99
309153	NDACO	PRE-EMPLOYMENT DRUG TEST	124.64
309154	S & J HARDWARE	PARTS & SUPPLIES FOR SIGNING	41.14
309155	WALLWORK TRUCK CENTER	VEHICLE REPAIR	803.93
309157	WALLWORK TRUCK CENTER	VEHICLE REPAIR	15,212.64
309156	WOLD ENGINEERING, P.C.	COUNTY WIDE PAVEMENT MARKING	10,513.82
		<b>UNPAID VOUCHERS</b>	
<b>CHECK #</b>	<b>VENDOR NAME</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
309158	SARAH BEDGAR	REIMBURSE CELL PHONE	30.00
309158	SARAH BEDGAR	MILEAGE & MEALS	244.66
309159	CHASE DRUG	INMATE MEDS	1,117.48
309160	CITY OF WASHBURN	COURTHOUSE - WATER/SEWER	126.82
309160	CITY OF WASHBURN	WATER	76.47
309161	DACOTAH PAPER CO	NITRILE GLOVES FOR LEC	85.03
309161	DACOTAH PAPER CO	TOILET PAPER, PAPER PLATES, SOAP	243.68
309161	DACOTAH PAPER CO	TISSUES	33.58
309162	ELECTION SYSTEMS & SOFTWARE	ABSENTEE, TEST & ELECTION DAY BALLOTS	6,222.31
309162	ELECTION SYSTEMS & SOFTWARE	MEDIA PROGRAMMING	6,980.56
309163	GARRISON DIV CONSERVANCY DIST	MONTHLY COLL AND SPECIAL ASSES	14,688.93
309164	GARRISON RURAL WATER DISTRICT	PARK RURAL WATER USAGE	124.60
309165	BENJAMIN GEHRING	REIMBURSE CORONER FEES	1,000.00
309166	GOETZ FUNERAL HOME	REIMBURSE CORONER FEES	1,000.00
309167	GERARD GOVEN	BOARD MEETING/ MILEAGE	1,112.56
309168	HIWAY 83 EXPRESS	GAS	57.55
309169	HIGHWAY 83 LAWN LEISURE INC	SURPLUS SALE ITEMS	9.99
309169	HIGHWAY 83 LAWN LEISURE INC	GARAGE DOOR GREASE	7.99

309170	SHANNON JEFFERS	BOARD MEETING/ MILEAGE	990.24
309171	MCLEAN COUNTY FAMILY RES CENTER	DISBURSE MONTHLY COLLECTIONS	210.00
309172	MCLEAN COUNTY IMPLEMENT	OIL FOR LAWN/BLOWER	6.29
309173	KAMILE MODEREGGER	REIMBURSE CELL PHONE	30.00
309174	ND ASSOC OF COUNTY SUPERINTENDENTS	2024 NDACS DUES	50.00
309175	NDACO RESOURCES GROUP INC	JUNE 2024 SUPPORT CONTRACT	4,240.00
309176	ND SCHOOL BOARDS ASSOCIATION	2024 - 2025 DUES	200.00
309177	NORTH DAKOTA CHAPTER OF APCO	FULL EMD COURSE	1,080.00
309178	NW TIRE, INC	OIL CHANGE	72.16
309179	LYNN OBERG	BOARD MEETING/MILEAGE	1,299.20
309180	OTTERTAIL POWER COMPANY	ELECTRIC BILL	7,131.98
309181	SOFTCHOICE CORP	WINDOWS SERVER 2022	87.40
309182	ND STATE TREASURER	DISBURSE MONTHLY COLLECTIONS	475.82
309183	MAIN STREET MARKET	JAIL GROCERIES	5,145.08
309184	ROBERT WERLINGER	CONTRACTED HOURS FOR MAY 2024	700.00

CHECK #	VENDOR NAME	DESCRIPTION	AMOUNT
5395	JAN HANSEN	REIMBURSE CELL PHONE	30.00
5396	KAYLA OBERLANDER	REIMBURSE CELL PHONE	30.00
5397	CURT MALO	REIMBURSE CELL PHONE	30.00
5398	TRAVIS VERKE	REIMBURSTMENT FOR TELEPHONE	30.00
5399	ANNA SIX	REIMBURSEMENT FOR CLIPPER	37.30
5400	RYAN OBERG	REIMBURSE CELL PHONE	30.00
5401	ELIZABETH PATTERSON	REIMBURSE CELL PHONE	30.00
5402	GARRETT KRUEGER	WEED BOARD MILEAGE	38.86
5403	TYGE SHELDON	WEED BOARD MILEAGE	53.60

CHECK #	VENDOR NAME	DESCRIPTION	AMOUNT
309134	AFLAC	MONTHLY PREMIUM	1,641.87
309135	DELTA DENTAL	INSURANCE PREMIUM - MAY 24	5,880.38
309136	AVESIS/FSL	INSURANCE PREMIUMS - MAY 24	1,629.33
309137	BRAVERA WEALTH	MOTHLY CONTRIBUTIONS	3,796.42
309138	CREDIT BUREAU OF BISMARK, INC.	GARNISHMENT	954.60
309139	FRATERNAL ORDER OF POLICE	FOP DUES	59.00
309140	ND CHILD SUPPORT ENFORCEMENT	CHILD SUPPORT	3,766.60
309142	DACOTAH PAPER CO.	NITRILE GLOVES	103.27
309142	DACOTAH PAPER CO.	NITRILE GLOVES	259.89
309143	USABLE LIFE	INS PREM - MAY 24	124.32
309146	NDPERS	PREMIUM DIFFERENCE	1,197.58
309147	ATTORNEY GENERAL	MONTHLY COLL 24/7 SOBRIETY PROG	1,980.00
309148	WEX BANK	GAS-SHERIFF	17,566.22
309149	WEX BANK	GAS-TASK FORCE	667.40

VENDOR	P-CARD FUNDED PURCHASES	AMOUNT
NW TIRE	TIRES	10,589.94
	TIRES - COUNTY PARK TAURUS	638.72
NAPA	PARTS	157.22
	GARRISON SHOP SUPPLIES	158.06
WRT	PHONE & DSL	103.18
MCLEAN SHERIDAN RURAL WATER	RURAL WATER	83.24
AUTO VALUE	PARTS	2,331.16
	OIL	59.98
	SAFETY ITEMS	16.97
	MISC	6.58
LINDE GAS & EQUIPMENT	WELDING SUPPLIES	867.75
CIRCLE SANITATION SERVICE	GARBAGE PICKUP	246.00
CIRCLE SANITATION SERVICE	GARBAGE PICKUP	219.75
AMAZON	AMBER/WHITE LIGHT BARS, OIL PUMP KIT	414.97
RTC	PHONE LINES	147.73
MACS	RACKING, MEC, BEAM, 4X96, STEP, SPOUT KIT	171.08
AMAZON	PICKUP FLOOR MATS	179.98
AMAZON	PICKUP UNDER SEAT ORGANIZER	272.44
DURAWEAR.COM	SAFETY ITEMS	116.65
INSIDE OUTSOURCING	SAFETY ITEMS	64.04
BUTLER MACHINERY	REPAIRS	2,173.22
MCLEAN ELECTRIC	ROSEGLEN SHOP	56.00
	UNDERWOOD SHOP	64.00
	GARRISON SHOP	356.00
EBAY	PARTS	37.22
TYLER TECHNOLOGIES	TAXWISE CONFIGURE, SCHOOL ERP PRO	2,677.50
AMAZON	PRIMARY ELECTION PAPER FOR BALLOT INSERTS	113.10
AMAZON	TRAINING OFFICER PINS	50.66
SHOPELC.COM	S.O. PIN SETS	83.99
AMAZON	PHONE MESSAGE BOOKS, MANILLA FOLDERS	52.14
FIREFLY RESERVATIONS	MONTHLY WEBSITE CHARGE FOR PARK	3.50
AMAZON	KOHLER FAUCET SPRAY WAND	90.21

AMAZON	PRIMARY ELECTION PENS	112.80
AMAZON	PENS, HEAVY DUTY STAPLER, STAPLES	114.20
VERIZON	KITTLER - HWY CELL	41.98
	KROLL - DES CELL	41.98
	GREY - HWY CELL	41.98
	ERICKSON - STATES ATTORNEY CELL	46.98
	OBERG - ASSESSOR JETPACK	40.01
	KROLL - DES JETPACK	40.01
NORDAK NORTH PUBLICATIONS	P & Z NOTICES	125.64
NORDAK NORTH PUBLICATIONS	SPECIAL COMMISSION MINUTES	695.85
	HELP WANTED ADS	1,735.04
	BIDS	59.86
	PRIMARY ELECTION NOTICE & BALLOTS	900.44
AMAZON	BINDERS	41.70
PHARMCHEM	SWEAT PATCH ANALYSIS	247.80
LEADSONLINE	POWERPLUS INVESTIGATION SYSTEM SERVICE	2,795.00
NAPA	WIPERS	46.88
WRT	SHERIFF	492.54
	COURTHOUSE	1,381.10
	NDSU EXTENSION	170.03
	E-911	84.46
	JURY/PERSONAL	5.76
	PAROLE AND PROBATION	20.00
	E-911 RADIO TOWER	205.08
VERIZON CONNECT	VEHICLE TRACKING SUBSCRIPTION	488.60
WRT	PHONE LINES	94.46
CIRCLE SANITATION	2 MONTHLY SANITATION FEES	444.00
KRAUSE'S SUPERVALU	INMATE GROCERIES	53.09
NW TIRES	TIRES	1,360.96
RTC	MISC SERVICES FOR 911	80.00
RTC	PHONE & DSL	187.23
AMAZON	NDSU EXTENSION BABYSITTER BOOK FOR CLASS	44.91
AMAZON	NDSU EXTENSION BINGO CHIPS, MARKERS	21.66
AMAZON	NDSU EXTENSION FOLDERS	67.96
AMAZON	NDSU EXTENTIONS STORAGE CONTAINERS	44.49
NAPA	OIL AND FILTERS	133.28
AMAZON	COLORED PAPER	43.60
AMAZON	TEARPROOF FLAG, LEGAL WRITING PADS	48.26
AMAZON	DYMO LABELS	36.99
AMAZON	BINDERS FOR TRAINING IN PRIMARY ELECTION	19.58
	BINDERS FOR TRAINING IN GENERAL ELECTION	19.58
VERIZON	DATA CARD	1,000.25
	DETECTIVE PHONES	95.18
	KERZMANN CELL PHONE	41.98
	PATROL CELL PHONES	929.37
AMAZON	BINDER CLIPS, SHEET PROTECTORS, BATTERIES	32.95
DELTA AIRLINES	MEADOWS AIRLINE TICKETS	666.97
DELTA AIRLINES	MEADOWS AIRLINE TICKETS	666.97
WASTE MANAGEMENT	SPORTSMEN'S CENTENNIAL PARK	540.58
NORDAK NORTH PUBLICATIONS	WEATHER SEMINAR IN MERCER	140.00
MCLEAN ELECTRIC	SPORTSMEN'S CENTENNIAL PARK	62.00
	PARK BOARD	51.00
	SECURITY LIGHTS - COURTHOUSE	21.00
	SECURITY LIGHTS - SPORTSMEN'S PARK	470.00
	CAMPER PADS	51.00
	CAMPER PADS	112.00
	CENTENNIAL PARK	52.00
MCLEAN ELECTRIC	CIVIL DEFENSE	135.00
DAKOTA AWARDS	SIGNATURE STAMP	35.99
TITAN MACHINERY	OIL, FILTER, FUEL	36.93
AMAZON	LABELS, STAPLES, BINDERS, FOLDERS	167.93
	CR1632 BATTERIES - 100 COUNT	26.70
ELECTRONIC COMMUNICATIONS	BUTTE TOWER DUPLEXER AND LABOR	5,100.00
UNIFORM CENTER	UNIFORMS	1,248.58
KRAUSES	NDSU BABYSITTING CLASS SUPPLIES	20.95
VERIZON	TASK FORCE OFFICER	42.19
AMAZON	ENVELOPES - PRIMARY ELECTION	95.97
AMAZON	AVERY 74541 BADGE KIT WITH CLIPS	31.89
AMAZON	CORNER STAND UP DESK	265.99
AMAZON	PLANTRONIC HEADSET WITH LIFTER	169.39
AMAZON	LANYARDS WITH BADGES - PRIMARY ELECTION	13.00
AMAZON	LANYARDS WITH BADGES - GENERAL ELECTION	12.99
KRAUSE'S	ELECTION TRAINING FOOD	55.87
DAKOTA DUST TEX	FLOOR MATS FOR COURTHOUSE & SHOP	112.00
GRAND STAY HOTEL	ARLAN SWANSON	306.54
MAINSTAY SUITES	CHAD WIEGE	288.90

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

Tax Equalization Director Todd Schreiner and Assistant Director of Tax Equalization Elizabeth Patterson joined the meeting.

Chairperson Cottingham recessed the regular McLean County Commission meeting at 8:55 a.m. for the McLean County Tax Equalization meeting.

Property Assessor Ryan Oberg joined the meeting.

Schreiner discussed the most recent property assessment; 90-100% of the real estate market must be assessed. The department was in compliance with this requirement with 105 residential, 67 commercial, and vacant lots sales reviewed for the study. Commercial and residential overall sales ratio came in at 94.7%. Discussion followed.

Adam Ourada, representing Falkirk Mining Company, joined the meeting.

Schreiner asked for approval of agriculture real estate values, provided by the state and NDSU Extension, at a 2024 overall decrease of 3-5%. Discussion followed.

Moved by Lee, seconded by Suydam, to approve the values as presented at a decrease of 3-5%. Roll Call Vote: Aye: Lee, Suydam, and Cottingham. Nay: None. Motion carried.

Schreiner stated the overall residential real estate sales ratio has increased 5+%.

Moved by Lee, seconded by Suydam, to approve the recommendation for a sales ratio of 94.7%. Roll Call Vote: Aye: Lee, Suydam, and Cottingham. Nay: None. Motion carried.

Schreiner presented the overall commercial real estate value which has increased approximately 1% to 94.7%.

Moved by Lee, seconded by Suydam, to approve the recommendation for sales ratio of 94.7%. Roll Call Vote: Aye: Lee, Suydam, and Cottingham. Nay: None. Motion carried.

Cottingham adjourned the McLean County Tax Equalization meeting and reconvened the regular McLean County Commission meeting at 9:27 a.m.

Ourada requested approval of and to set a hearing date for a petition to operate within 100 feet of the outside right-of-way line of the two roads stated in the petition. No roads or section lines will be closed. Discussion followed.

Moved by Suydam, seconded by Lee, to approve the petition to operate within 100 feet of the outside right-of-way line of the two roads stated in the petition and set a hearing for 9:00 a.m. on July 2, 2024.

BEFORE THE BOARD OF  
McLEAN COUNTY COMMISSIONERS

IN THE MATTER OF THE APPLICATION )  
OF THE FALKIRK MINING COMPANY )  
FOR AN ORDER PERMITTING SURFACE ) PETITION  
COAL MINING OPERATIONS WITHIN 100 )  
FEET OF THE OUTSIDE RIGHT-OF-WAY )  
LINE OF CERTAIN PUBLIC ROADS )

Pursuant to the provisions of Chapter 38-14.1-07, of the North Dakota Century Code and Chapter 69-05.2-04 of the North Dakota Administrative Code, The Falkirk Mining Company ("Petitioner") states as follows:

1. Petitioner is a surface coal mining operator with the right to conduct surface coal mining and reclamation operations on or in the vicinity of the lands hereinafter described.
2. Petitioner requests that the Board of McLean County Commissioners permit and approve the conducting of surface coal mining operations by the Petitioner within 100 feet of the outside right-of-way line of the following public roads:
  - a. The west side of the section line trail between Section 1, Township 145 North, Range 84 West and Section 6, Township 145 North, Range 83 West
  - b. The north and south sides of the county road located between Section 31, Township 146 North, Range 82 West and Section 6, Township 145 North, Range 82 West
3. Petitioner asserts that the interests of the public and the interests of affected landowners will be protected from the proposed surface coal mining operations.

WHEREFORE, Petitioner requests that the Board of McLean County Commissioners set this matter for hearing and that thereafter Petitioner be granted the relief requested.

Dated this 4th day of June, 2024.

THE FALKIRK MINING COMPANY

By: \_\_\_\_\_

Jay H. Kost, its President

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

Ourada presented a petition for approval and to set up a hearing to temporarily close the section line road between the SW ¼ of Section 29 and the NW ¼ of Section 32, Township 145 North, Range 83 West. All mining will be on the east side of the road and the farmer can access property on the west side. Discussion followed.

Moved by Lee, seconded by Suydam, to approve the petition to temporarily close the section line road between the SW ¼ of Section 29 and the NW ¼ of Section 32, Township 145 North, Range 83 West and set a hearing for 9:10 a.m. on July 2, 2024.

BEFORE THE BOARD OF  
McLEAN COUNTY COMMISSIONERS

IN THE MATTER OF THE APPLICATION OF )  
THE FALKIRK MINING COMPANY FOR AN ) PETITION FOR CLOSING  
ORDER TEMPORARILY CLOSING CERTAIN ) OF SECTION LINE ROADS  
SECTION LINE ROADS THAT INTERFERE )  
WITH SURFACE COAL MINING OPERATIONS )

Pursuant to the provisions of Chapters 38-01-07.1 and 38-01-07.2, North Dakota Century Code, The Falkirk Mining Company (“Petitioner”) states as follows:

1. Petitioner is a surface coal mining operator with the right to conduct surface coal mining and reclamation operations on or in the vicinity of the lands hereinafter described.
2. Petitioner requests that the following described section line roads, as shown on the map attached as Exhibit A, be temporarily closed to allow a safe and efficient means to conduct reconstruction of Petitioner’s coal conveyance system and any support related services:
  - a. The section line road between the SW ¼ of Section 29 and the NW ¼ of Section 32, Township 145 North, Range 83 West
3. Petitioner asserts that the closing of the above-described section line roads will not deprive adjacent landowners access to their property.
4. After the completion of construction projects, the Petitioner will restore the closed section line roads to as good a condition as existed prior to the closing of such roads to the extent required by the Board of McLean County Commissioners.

WHEREFORE, Petitioner requests that the Board of McLean County Commissioners set this matter for hearing and that thereafter Petitioner be granted the relief requested.

Dated this 4th day of June, 2024

THE FALKIRK MINING COMPANY

By: \_\_\_\_\_  
Jay H. Kost, its President

Knutson presented the budget narrative for period ending May 31, 2024. She presented data showing property tax collections are at 91% collected including 95% with discount for 2024 or \$19,878,843.81, government reimbursement revenues totaled \$1,095,903.26 compared to \$892,534.66 in 2023, fees and miscellaneous revenues totaled \$657,023.64 compared to \$754,906.02 in 2023, and expenditures were at 39.11% of total budget for 2024.

Knutson presented the Uncollected Tax List for years 2021-2023 showing a total of \$46,762.29.

There being no further business, the Chairperson declared the meeting adjourned at 9:48 a.m. The commission minutes and agenda can be found on the county website at <https://www.mcleancountynd.gov>.

\_\_\_\_\_  
Steve Cottingham, Chairperson

\_\_\_\_\_  
Diane Blumhagen, Deputy Auditor