McLean County Commission Proceedings
Tuesday, June 17, 2025

The second regular June meeting of the Board of Commissioners was called to order at 8:30 a.m. by Chairperson Steve Lee. Present were Commissioners Lee, Steve Cottingham, and Curt Olson. Also present were Auditor Beth A. Knutson; Administrative Assistant/Receptionist Lynda Snyder; Road Superintendent James Grey; Alyson Teigen; Lewis & Clark Development Group Executive Director Brent Ekstrom; Parker Wahl; Jessica Bell; and John Price.

Ekstrom presented information on the Lewis and Clark Development Group and its various grant programs, housing assistance programs, revolving loan fund, programs and the ND Opportunity Fund. Ekstrom spoke about the Meat and Poultry Intermediary Lending Program available through the USDA Rural Development to provide low interest loans to expand existing meat processing businesses and build new operations throughout North Dakota. He announced that a Resource Development Director is being hired by the group to help communities with grant writing to access the funding available to them.

Grey informed the board that a 2006 International plow truck was purchased at the state auction. This purchase was authorized at the meeting held February 11, 2025. Discussion followed.

Grey stated that several roads in Wilton will need repair as water was over the road after the last rain. He also stated he has trucks graveling throughout the county and Sundre Sand & Gravel Inc. has moved into the Strecker Gravel Pit near Washburn. Discussion followed.

Grey stated that he has requested quotes on purchasing some mowers and will wait until they are all received to bring them back to the board for approval. Discussion continued.

Grey stated that a wet line kit is needed in one of the trucks. He asked permission to purchase a truck with the wet line kit included rather than pay to have one installed as the installation price is around $15,000. He stated that the department has money budgeted for this.

Moved by Olson, seconded by Cottingham, to authorize purchase of a truck with a wet kit for no more than $70,000. Discussion followed. Roll Call Vote: Aye: Olson, Cottingham, and Lee. Nay: None. Motion carried.

Grey stated that the department shares one utility trailer between all county shops. He requested permission to purchase a single axle trailer utilizing Miscellaneous budget line-item funds.

Moved by Olson, seconded by Cottingham, to authorize purchasing a utility trailer for no more than $3,500. Roll Call Vote: Aye: Olson, Cottingham, and Lee. Nay: None. Motion carried.

Grey presented a boring request from Falkirk Mining Company to bore 10-inch HDPE pipe twelve feet below the existing grade to convey water from the mining pits.

Moved by Cottingham, seconded by Olson, to approve the boring permit as presented. Roll Call Vote: Aye: Cottingham, Olson, and Lee. Nay: None. Motion carried.

Chairman Lee opened the public hearing for permission to operate within 100' of right-of-way at 9:00 a.m.

Wahl presented the resolution below and stated that the area affected is two locations in the Riverdale mine area. Discussion followed.

RESOLUTION OF
MCLEAN COUNTY COMMISSION

WHEREAS, 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 ("Falkirk") petitioned the Board of County Commissioners of McLean County, North Dakota ("Commission") for permission to conduct surface coal mining operations within 100 feet of the outside right-of-way line of the following public roads:

a. The east and west sides of the section line located between the SW¼ of Section 2 and the SE¼ of Section 3, Township 144 North, Range 84 West

b. The west side of the county road located between Section 25, Township 145 North, Range 83 West and Section 30, Township 145 North, Range 82 West

WHEREAS, a public hearing was held upon the Petition of Falkirk before the Commission on the 17th day of June, 2025, at 9:00 a.m., CDT, in the Courthouse in the City of Washburn, North Dakota, and the Commission having heard and considered all of the testimony and evidence presented;

WHEREAS, the Commission has jurisdiction over the subject matter of the Petition and the public roads and rights-of-way stated therein;

WHEREAS, the Notice of Hearing on said Petition was duly served and published as required by law; and

WHEREAS, the interests of the public and the interests of the affected landowners will be protected.

NOW, THEREFORE, BE IT RESOLVED that the Commission does hereby approve the conducting of surface coal mining operations, except actual coal removal, by Falkirk within 100 feet of the outside right-of-way line of the following public roads:

a. The east and west sides of the section line located between the SW¼ of Section 2 and the SE¼ of Section 3, Township 144 North, Range 84 West

b. The west side of the county road located between Section 25, Township 145 North, Range 83 West and Section 30, Township 145 North, Range 82 West

BE IT FURTHER RESOLVED that this Resolution, the Petition involved herein, and the Affidavits of Publication of Notice of Hearing be filed with the McLean County Auditor.

Dated this 17th day of June, 2025.

ATTEST: MCLEAN COUNTY COMMISSION

_____ By: _____
Beth Knutson, County Auditor

By: _____

By: _____

Moved by Olson, seconded by Cottingham, to approve the resolution as presented. Roll Call Vote: Aye: Cottingham, Olson, and Lee. Nay: None. Motion carried.

Chairman Lee next opened the public hearing for a temporary road closure at 9:15 a.m.

Wahl presented the second resolution below for potential road closures at two locations. Discussion followed.

RESOLUTION OF
MCLEAN COUNTY COMMISSION

WHEREAS, The Falkirk Mining Company ("Falkirk") has petitioned the Board of County Commissioners of McLean County, North Dakota ("Commission") to temporarily close the following described section line road that interferes with surface coal mining operations pursuant to the provisions of Chapters 38-01-07.1 and 38-01-07.2 of the North Dakota Century Code:

a. The section line trail located between the SW¼ of Section 2 and the SE¼ of Section 3, Township 144 North, Range 84 West

b. The section line trail between Section 9 and Section 4, Township 146 North, Range 82 West

WHEREAS, a public hearing was held upon the Petition of Falkirk before the Commission on the 17th day of June, 2025, at 9:05 a.m. CDT, in the Courthouse in the City of Washburn, North Dakota, and the Commission having heard and considered all of the testimony and evidence presented.

NOW, THEREFORE, BE IT RESOLVED that the Commission does hereby find, conclude, and determine as follows:

1. That the Commission has jurisdiction over the subject matter of the Petition and the section line roads involved therein.

2. That the Notice of Hearing on said Petition was duly served and published as required by law.

3. That the temporary closing of said section line roads is necessary due to the fact that said section line road interferes with Falkirk's conduct of surface coal mining operations.

4. That the temporary closing of said section line roads does not deprive adjacent landowners access to their property.

5. That a public benefit exists in temporarily closing said section line road and that the interests of public and the affected landowners will be protected.

BE IT FURTHER RESOLVED, based on the foregoing, that the Commission hereby determines and orders as follows:

1. That the following section line road be temporarily closed until such time as Falkirk's surface coal mining operations which affect the use of said section line road by the general public are completed:

   a. The section line trail located between the SW¼ of Section 2 and the SE¼ of Section 3, Township 144 North, Range 84 West

   b. The section line trail between Section 9 and Section 4, Township 146 North, Range 82 West

2. That Falkirk provide farmers access to their lands for farming purposes during the time that said section line road is temporarily closed.

3. That within a reasonable period of time after completion of surface coal mining operations Falkirk shall restore said section line road to as good a condition as existed prior to the temporary closing to the extent required by the Commission.

4. That Falkirk inform the Commission when the restoration of said section line road is completed, at which time Falkirk shall tender said section line road to the Commission for acceptance for general public use.

5. That the Commission may at any time exercise its rights to monitor the continued need for the temporary closing of said section line road and may request Falkirk to show cause why said section line road should not be reopened if surface coal mining operations in the vicinity thereof have been completed.

6. That this Resolution, the Petition involved therein, the Affidavits of Service and the Affidavits of Publication of Notice of Hearing be filed with the McLean County Auditor.

Dated this 17th day of June, 2025.

ATTEST: MCLEAN COUNTY COMMISSION

_____ By: _____

Beth Knutson, County Auditor

By: _____

By: _____

Moved by Olson, seconded by Cottingham, to approve the resolution as presented. Roll Call Vote: Aye: Cottingham, Olson, and Lee. Nay: None. Motion carried.

Knutson presented Max's 2026 police contract for signing.

Knutson stated that the compliance inspection will be completed at the Sportsmen's Centennial Park on June 26, 2025. Discussion followed.

Tax Director Todd Schreiner joined the meeting.

Schreiner presented the proposed budget for 2026 for Tax Equalization/Land Use. GIS Maintenance increased from $778.99 to $800.00, Travel increased from $600.00 to $800.00, Addn Licenses Assessor increased from $1,000 to $1,500.00, and Training decreased from $2,500.00 to $2,300.00. Total budget presented, not including Salaries, $42,160.00.

Schreiner presented the proposed budget for 2026 for Veterans Services with the only change being the Vetra Spec line item increasing from $450.00 to $500.00. Total budget presented, not including Salaries, $3,060.00.

Moved by Olson, seconded by Cottingham, to concur with the Planning and Zoning Commission and approve the application for a variance submitted by Chad M. and Debra L. Keller, whose post office address is Surrey, North Dakota, requesting a variance of the setback requirements of the McLean County Zoning Ordinance involving land located in Lot 54, Garrison Creek Cottage Site, St. Mary Township. Roll Call Vote: Aye: Olson, Cottingham, and Lee. Nay: None. Motion carried.

Moved by Cottingham, seconded by Olson, to concur with the Planning and Zoning Commission and approve the application submitted by Christopher P. and April L. Magruder, Garrison, North Dakota, requesting approval of a subdivision plat involving land located in a portion of Government Lot 1 of Section 18, Snow Township. Roll Call Vote: Aye: Cottingham, Olson, and Lee. Nay: None. Motion carried.

Moved by Olson, seconded by Cottingham, to concur with the Planning and Zoning Commission and approve the application submitted by Corwin L. and Sheena L. Aaseth of Garrison, North Dakota, requesting approval of a conditional use permit involving land located in Outlot A in Government Lot 2, Section 18, Township 144 North, Range 81 West. Roll Call Vote: Aye: Cottingham, Olson, and Lee. Nay: None. Motion carried.

Moved by Cottingham, seconded by Olson, to concur with the Planning and Zoning Commission and approve the application for a variance submitted by Tadd and Jody Demars, whose post office address is Minot, North Dakota, requesting a variance of the setback requirements of the McLean County Zoning Ordinance involving land located in Lot 6, Paradise Retreat, Horseshoe Valley Township. Roll Call Vote: Aye: Cottingham, Olson, and Lee. Nay: None. Motion carried.

Moved by Olson, seconded by Cottingham, to concur with the Planning and Zoning Commission and approve the application for a variance submitted by Kyle Schmidt, on behalf of landowner Gaylin Schmidt, whose post office address is Minot, North Dakota, requesting a variance of the setback requirements of the McLean County Zoning Ordinance involving land located in Lot 10R, Slaters Resort Replat, Otis Township. Roll Call Vote: Aye: Olson, Cottingham, and Lee. Nay: None. Motion carried.

Moved by Cottingham, seconded by Olson, to concur with the Planning and Zoning Commission and approve the application for a variance submitted by Leslie Petersen, whose post office address is Minot, North Dakota, requesting a variance of the setback requirements of the McLean County Zoning Ordinance involving land located in Lot 10, Severson Resort, Otis Township. Roll Call Vote: Aye: Cottingham, Olson, and Lee. Nay: None. Motion carried.

Moved Olson, seconded by Cottingham, to concur with the Planning and Zoning Commission and approve the application submitted by Rainbow Energy Center, LLC, whose post office address is Bismarck, North Dakota, involving land described as the N½ of Section 13, Township 145 North, Range 83 West and the N½ of Section 18, and SW¼ of Section 18, Township 145 North, Range 82 West involving 800 acres. The above-named applicant seeks a zoning change from an agricultural land classification to commercial to allow for the continued use of generation in McLean County. This land will provide a commercial zone to be divided into outlots for data centers or other commercial business that will be constructed after obtaining any required building permits from the county. McLean County reserves the right to deny commercial activity on this land if adequate fire protection or suppression for the activity cannot be provided and the county may prohibit any on-site waste storage or disposal that requires Department of Environmental Quality permitting. Discussion followed. Roll Call Vote: Aye: Olson, Cottingham, and Lee. Nay: None. Motion carried.

Disaster Emergency Services Director/Risk Manager Noelle Kroll joined the meeting.

Kroll presented the proposed budget for 2026 for Disaster Emergency Services with no changes. Total budget presented, not including Salaries and Overtime, $68,360.00.

Kroll presented the proposed budget for 2026 for Employee Risk Management. Training increased from $1,000.00 to $2,000.00 and Miscellaneous increased from $2,000.00 to $2,500.00. Total budget presented, $8,000.00.

Knutson presented the proposed budget for 2026 for County Recorder showing Maintenance Agreements increasing from $9,000.00 to $9,500.00. Total budget presented, not including Salaries, $12,500.00

Knutson presented the proposed budget for the 2026 McLean County Historical Society showing Paving Assessment increasing from $1,100.00 to $1,700.00 and Insurance increasing from $3,000.00 to $3,200.00. Total budget presented, $55,150.00.

Knutson presented the proposed budget for 2026 for State's Attorney. Dues/Memberships increased from $0.00 to $750.00 and Capital Outlay/Victim Witness increased from $0.00 to $10,000.00. Total budget presented, not including salaries, $20,000.00.

Knutson presented the proposed budget for 2026 for Communications with the only change being Tower Repeater decreasing from $20,000.00 to $0.00. Total budget presented, $9,000.00

Knutson presented the proposed budget for 2026 for E-911 Coordinator with no changes. Total budget presented, $95,950.00.

Knutson presented the proposed budget for 2026 for Election Expenses with Primary Election increasing from $500.00 to $50,000.00 and the General Election increased from $500.00 to $50,000.00. The total budget presented, $100,000.00.

Knutson presented the proposed budget for 2026 for Utilities. Electricity-Non-Sheriff increased from $65,000.00 to $75,000.00; Gas Non-Sheriff decreased from $18,000.00 to $9,000.00; Water/Sewer/Sanit.-Non-Sheriff increased from $9,000 to $10,000; Electric-Sheriff decreased from $40,000.00 to $35,000.00; and Gas-Sheriff increased from $6,500.00 to $7,000.00. Total budget presented, $173,000.00.

Knutson presented the proposed budget for the 2026 Emergency Fund. Emergency Reserve increased from $0.00 to $30,000.00. Total budget presented $30,000.00.

Knutson presented the proposed budget for 2026 Special Assessments. County Owned Property Specials increased from $18,000.00 to $20,000.00. Total budget presented $20,000.00.

Knutson presented Jobs Promotions, Parole & Probation, and McLean County Coroner budgets with no changes proposed for 2026. Total budget presented for the Coroner was $26,000.00 and $0.00 for both Jobs Promotions and Parole & Probation.

Knutson presented the proposed budget for 2026 for Rescue Boat. Total budget presented, $0.00.

Knutson presented the proposed budget for 2026 for Unorganized Township Road with no changes. Total budget presented, $500,000.00.

Knutson stated that the County Auction is set for Saturday, June 21, 2025 at 9:00 a.m. at the Garrison County Shop.

Moved by Olson, seconded by Cottingham, to approve the following vouchers for payment:

VOUCHER/ CHECK	REMIT NAME	DESCRIPTION	AMOUNT
UNPAID VOUCHERS			
1223	BUTLER MACHINERY COMPANY	PARTS	459.92
1223	C AND S REPAIR	FUSE BOX, BATTERY	1,149.04
1223	CAMDEN COUNTY SHERIFF	CIVIL PROCESS-TAX LIEN	36.00
1223	CHASE DRUG STORE	INMATE MEDS	296.48
1223	DACOTAH PAPER COMPANY	STEAM PANS, TP DETERGENT, BODY WASH	442.88
1223	DACOTAH PAPER COMPANY	SQUEEGEE & HANDLE, TOOL HOLDER	174.26
1223	DIFFELY'S REPAIR, LLC	OIL CHANGES	498.80
1223	DIFFELY'S REPAIR, LLC	ANTIFREEZE, AIR FILTER, BRAKE PADS & ROTORS	1,510.16
1223	FARMERS UNION SERVICE ASSOC	AUTO COMMERICAL ADD ENDORSEMENT	1,692.00
1223	GARRISON FARMERS UNION OIL CO	TIRE REPAIRS	85.87
1223	GARRISON FARMERS UNION OIL CO	BUG WASH, WINDSHIELD WIPER BLADE	55.84
1223	GERARD GOVEN	WATER BOARD & MILEAGE	1,193.05
1223	HIWAY 83 EXPRESS	GAS-MOTOR POOL	108.02
1223	INFORMATION TECHNOLOGY DEPT	FIRST DISTRICT HEALTH	86.50
1223	INFORMATION TECHNOLOGY DEPT	WAN	692.00
1223	INFORMATION TECHNOLOGY DEPT	ADOBE	31.25
1223	INFORMATION TECHNOLOGY DEPT	VESTA & SIRN	2,633.69
1223	INFORMATION TECHNOLOGY DEPT	DES, WAN, ADUF, VPN	91.50
1223	INFORMATION TECHNOLOGY DEPT	RECORDER	10.00
1223	INFORMATION TECHNOLOGY DEPT	AZURE	7.10
1223	INFORMATION TECHNOLOGY DEPT	TL ASSESS VPN	5.00
1223	INFORMATION TECHNOLOGY DEPT	INTUNE	6.00
1223	INFORMATION TECHNOLOGY DEPT	INTUNE	6.00
1223	INFORMATION TECHNOLOGY DEPT	OFFICE 365 BASIC	402.80
1223	INFORMATION TECHNOLOGY DEPT	AUD & TAX DIR VPN	20.00
1223	INFORMATION TECHNOLOGY DEPT	TYLER TECH ANNUAL CONTRACT	90.45
1223	INFORMATION TECHNOLOGY DEPT	WAN, OFFICE 365, ADOBE, VPN, ETC	1,461.70
1223	KENS BODY SHOP	IMPOUNDS	4,550.00
1223	L-TRON CORPORATION	MOBILE CAR ADAPTER	118.06
1223	LYNN OBERG	WATER BOARD & MILEAGE	1,515.40
1223	MAIN STREET MARKET	INMATE GROCERIES FOR MAY	3,502.84
1223	MCRANDALL MOBILE GLASS	WINDSHIELD	425.00
1223	MDU	GAS-COURTHOUSE	70.50
1223	MDU	UTILITIES	298.89
1223	MENARDS	PAINT	170.00
1223	MIDCONTINENT CABLE CO	CABLE TV	152.27
1223	NAPA AUTO PARTS	SPARK PLUG	2.24
1223	ND CORRECTIONAL HEALTH CARE AS	DUES	100.00
1223	NDACO RESOURCES GROUP	DISPLAY PORT TO VGA CABLE	36.00
1223	NDACO RESOURCES GROUP	DISPLAY PORT TO VGA CABLE	77.00
1223	NDACO RESOURCES GROUP	MANAGED WORKSTATIONS	4,020.00
1223	NDACO RESOURCES GROUP	DATTO SERVER BACKUP	184.29
1223	NDACO RESOURCES GROUP	DATTO SHERIFF BACKUP	255.71

1223	NDACO RESOURCES GROUP	MONTHLY MGMNT FEE	480.00
1223	NORTH COUNTRY VET CLINIC	BRAVECTO-JEZZ	73.14
1223	NORTHERN PLAINS EQUIPMENT CO	REPAIRS	3,880.35
1223	PRESORT PLUS, LLC	PICKUP FEE/COURIER SERVICE	63.22
1223	RTC NETWORKS	BREATHALYZER	44.32
1223	RUNNINGS	PARTS	31.96
1223	S AND J HARDWARE	HOSE, WHEELBARROW, RV OUTLET	158.83
1223	S AND J HARDWARE	PRUNING BLADE, PLUG, SCREWS, BOLTS, ETC	25.98
1223	SHANNON JEFFERS	WATER BOARD & MILEAGE	1,253.25
1223	SOFTCHOICE CORPORATION	OFFICE 2024-PARK	319.96
1223	UNICOM	INSURANCE CHECK NDIRF	6,027.15
1223	WASHBURN SCHOOL DISTRICT #4	SPELLING BEE & MATH COUNTS EXPENSES	3,176.25
1223	WATER PURITY INC	WATER	120.00
1223	WEX HEALTH	MONTHLY ADMIN FEE	82.50
1223	WILTON FARMERS UNION OIL CO	REPAIRS	25.00
1223	WILTON FARMERS UNION OIL CO	OIL CHANGES	591.10
1223	WM CORPORATE SERVICES INC	CENTENNIAL PARK-8-YD DUMPSTER SERVICE	569.62
HIGHWAY DEPARTMENT			
1221	DEERE CREDIT, INC.	LEASE PAYMENT- 4 TRACTORS	2,812.52
1221	ENERBASE COOPERATIVE RESOURCES	FUEL TO UNDERWOOD	4,842.43
1221	GARRISON CITY	WATER/SEWER/GARBAGE	53.20
1221	HIGHWAY 83 LAWN LEISURE INC	DRILL BITS	10.38
1221	JOHN DEERE FINANCIAL	PARTS FOR RENTAL TRACTORS	406.54
1221	JOHN DEERE FINANCIAL	FUEL/OIL/GREASE	140.13
1221	MDU	WASHBURN SHOP	96.81
1221	MDU	TURTLE LAKE SHOP	26.40
1221	MDU	GARRISON SHOP	57.96
1221	MDU	MAX SHOP	26.40
1221	PAHLKE STEEL INC	ANGLE IRON FOR SIGNS	61.00
1221	PARKLAND USA CORPORATION	FUEL TO GARRISON SHOP	19,851.18
DIRECT DEPOSIT			
1222	CODY MEADOWS	CANDY FOR PARADE	84.11
1222	KAMILE MODEREGGER	REIMB FOR EDUCATION MATERIALS	6.03
1222	RICHARD JOHNSON	APRIL, MAY AND JUNE CELL PHONE REIMB	90.00
1222	SANDRA L BETTENHAUSEN	CANDY FOR PARADE	25.91
1222	VANCE TOMLINSON	IMPACT SOCKET, STEP	65.55
NDPERS			
1211	NDPERS	MAY 2025 PAYROLL	94,743.60
1212	NDPERS	DEFERRED COMPENSATION	7,855.00
1213	NDPERS	HEALTH & LIFE INS	209,704.12
1219	NDPERS	HOLLOWAY ADJUSTMENT	169.43
ON DEMAND/MANUAL CHECKS			
1209	ASHLEY DEHAVEN	NURSING HOURS - MAY	2,880.00
401296	ORR AUCTIONEERS INC	2006 INTERNATIONAL 7600 TA DUMP	17,493.00
401297	WESTERN FRONTIER INSURANCE	SURETY BOND - SNYDER	100.00
1217	WEX BANK	FLEET CARD GASOLINE	16,336.65
401298	AMAZON	SUPPLIES FOR CLASSES	693.63
401299	CITY OF WASHBURN	WATER	80.41
401300	DACOTAH PAPER COMPANY	VEHICLE BRUSH, FORAM, COPY PAPER, ETC	751.83
401301	MCLEAN COUNTY IMPLEMENT	HALOGEN SEAL, SW-40, U-JOINT, ETC	601.88
401302	ND SECRETARY OF STATE	NOTARY APPLICATION FOR L SNYDER	36.00

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

There being no further business, the Chairperson declared the meeting adjourned at 9:59 a.m. The commission minutes and agenda can be found on the county website at https://www.mcleancountynd.gov.

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Steve Lee, Chairperson

_____
Lynda Snyder, Administrative Assistant