

**McLean County Commission Proceedings
Tuesday, July 2, 2024**

The first regular July 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 Kayla Oberlander, Road Superintendent Jim Grey, Chief Deputy Sheriff Richard Johnson, and Chief Deputy Auditor Lori Foss.

Foss presented the Commission with quotes for new computers for the County Recorder's and State's Attorney's offices as well as Toughbooks for the Sheriff's Department along with a battery backup for the server.

Moved by Lee, seconded by Suydam, to accept the quotes as presented by Foss. Roll Call Vote: Aye: Lee, Suydam, and Cottingham. Nay: None. Motion Carried.

Foss presented the proposed budget for 2025 for Superintendent of Schools with the changes being the Salaries line item increasing from \$2,976.77 to \$3,155.38 and awards/contests line item increasing from \$4,000 to \$5,500.00. Total budget presented, \$9,255.38.

Foss presented the proposed budget for 2025 for Computer Operations. Equipment Repair line item decreased from \$1,000.00 to \$500.00; Dakota Programs Maintenance line decreased from \$13,990.00 to \$0.00; ITD Contract line item decreased from \$9,170.00 to \$8,650.00; ITD Support Contract increased from \$38,000 to \$46,000; Active Directory Accounts line decreased from \$300.00 to \$100.00; Exchange E-Mail Accounts line items increased from \$3,000.00 to \$5,350.00; Adobe Subscription line item decreased from \$540.00 to \$420.00; Office 365/Highway Shops line item decreased from \$216.00 to \$0.00; Anti-Virus Protection line item decreased from \$650.00 to \$400.00; and Capital Outlay line item decreased from \$51,925.00 to \$51,000.00. Total budget presented, \$226,141.95.

Foss presented the proposed budget for 2025 for GIS Implementation. Total budget presented, \$0.00.

Foss presented the proposed budget for 2025 for Flexible Benefits-Medical and Child Care Funds with the only change being the Administrative Fees line item decrease from \$1,400.00 to \$1,000.00. Total budget presented, \$1,000.00.

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

HIGHWAY DEPARTMENT			
CHECK #	VENDOR NAME	DESCRIPTION	AMOUNT
309270	BRAVERA BANK	LOAN PAYMENT ON JOHN DEERE MOTOR GRADERS	148,727.19
309272	OTTER TAIL POWER COMPANY	MAX SHOP	39.09
309271	NDACO	PRE-EMPLOYMENT DRUG TESTING	126.00
UNPAID VOUCHERS			
309273	DACOTAH PAPER CO	PENCILS, LINER PANS, GLOVE, FLOOR CLEANER, ETC	1,292.32
309274	FARMERS UNION INSURANCE	ADDITIONAL ENDORSEMENT	2,734.00
309275	GARRISON DIVER CONSERV DIST.	DISBURSE MONTHLY COLLECTIONS	2,215.47
309276	BENJAMIN GEHRING	REIMBURSE CORONER FEE	1,000.00
309278	GOETZ FUNERAL HOME	REIMBURSE CORONER FEE	1,000.00
309278	GERARD GOVEN	WATER BOARD MEALS AND MILEAGE	1,140.70
309279	SHANNON JEFFERS	WATER BOARD MEALS AND MILEAGE	1,009.00
309280	MARCO	STANDARD PAYMENT FOR TWO MONTHS,	4,288.66
309281	MARCO TECHNOLOGIES	HP PRINTER INK	
309282	MCLEAN FAMILY RESOURCE	DISBURSE MONTHLY COLLECTIONS	275.00
309283	MCLEAN COUNTY IMPLEMENT	MOTOR POOL, WEED CONTROL	655.81
309284	KAMILE MODEREGGER	REIMBURSE CELL PHONE	30.00
309284	KAMILE MODEREGGER	REIMBURSEMENT FOR SUPPLIES, MILEAGE, MEALS	125.10
309285	NDACO RESOURCE GROUP	TYLER SCHOOL ERP PRO PORTAL	1,125.00
309285	NDACO RESOURCE GROUP	WINDOWS SERVER	562.50
309286	NDAAO	NDAAO CONFERENCE FEES AND DUES	675.00
309287	ND CHAPTER OF APCO	EMD COURSE REFRESHER - ZOOK, OHLHAUSER, CLINE	450.00
309290	ND STATE TREASURER	DISBURSE MONTHLY COLLECTIONS	320.08
309288	LYNN OBERG	REIMBURSE FOR BOARD EXPENSES, WATER BOARD MEETING AND MILEAGE	4,081.48
309289	SCOTT'S HARDWARE	GROUND CONNECTOR, GROUND CORD PLUG, ETC.	251.51
309291	TYLER TECHNOLOGIES	SCHOOL ERP PROJ MGMNT, USER TESTING, TAXWISE CONVERSION DEVELOP	2,090.00
309292	WASHBURN AUTO BODY	WINDSHIELD REPAIR	60.00
309293	WITMER PUBLIC SAFETY GROUP	K-9 BADGES	521.96
DIRECT DEPOSIT PAYMENTS			
CHECK #	VENDOR NAME	DESCRIPTION	AMOUNT
5549	JAN HANSON	REIMBURSEMENT FOR MILEAGE AND FAIR EXPENSE	77.50
5549	JAN HANSON	REIMBURSE CELL PHONE	30.00
5559	JARRET HENKE	REIMBURSEMENT FOR MAPPING SOFTWARE	34.99
5550	BETH KNUTSON	REIMBURSE NDDOT FEES	61.00
5551	KAYLA OBERLANDER	REIMBURSE CELL PHONE	30.00
5552	SARAH BEDGAR	REIMBURSE CELL PHONE	30.00
5553	CURT MALO	REIMBURSE CELL PHONE	30.00
5554	TRAVIS VERKE	REIMBURSE CELL PHONE	30.00
5555	HIEDI ANDERSON	RECORDERS CONFERENCE TRAVEL	202.76
5556	CURT OLSON	REIMBURSEMENT FOR LT. MINI GOLD PINS	117.00
5557	RYAN OBERG	REIMBURSE CELL PHONE	30.00
5558	ELIZABETH PATTERSON	REIMBURSE CELL PHONE	30.00
5560	CARTER KNUTSON	REIMBURSEMENT FOR MAPPING SOFTWARE	34.99
5561	VANCE TOMLINSON	REIMBURSEMENT FOR VEHICLE ACCESSORIES	907.37
PAID VOUCHERS			

CHECK #	VENDOR NAME	DESCRIPTION	AMOUNT
309246	ENTERPRISE FLEET MANAGEMENT	LEASE CHARGES MAY AND JUNE, TRANSPORT	6,021.03
309265	CHRIS CLEVELAND	CANVASS BOARD HOURS, MILEAGE	127.45
309266	THOMAS DEVILBISS	CANVASS BOARD HOURS, MILEAGE, MEAL REIMBURSEMENT	271.88
5494	DIANE BLUMHAGEN	ELECTION TRAINING HOURS, ELECTION DAY HOURS & MEAL ALLOWANCE	471.50
5495	JENELL OLSON	ELECTION TRAINING HOURS, ELECTION DAY HOURS & MEAL ALLOWANCE	283.00
5496	DONNA SOMMER	ELECTION TRAINING HOURS, ELECTION DAY HOURS & MEAL ALLOWANCE	386.00
5497	CLAIRE FISCHER	ELECTION TRAINING HOURS, ELECTION DAY HOURS & MEAL ALLOWANCE	331.00
5498	BECKETT KADRMAS	ELECTION TRAINING HOURS, ELECTION DAY HOURS & MEAL ALLOWANCE	331.00
5499	COURTNEY ADAMS	ELECTION TRAINING HOURS, ELECTION DAY HOURS & MEAL ALLOWANCE	349.84
5500	ERICA MEADOWS	ELECTION TRAINING HOURS, ELECTION DAY HOURS, MILEAGE, MEAL ALLOWANCE	347.08
5501	KAY REISER	ELECTION TRAINING HOURS, ELECTION DAY HOURS, MILEAGE, MEAL ALLOWANCE	339.73
5502	MCKENNA FAULKNER	ELECTION TRAINING HOURS, ELECTION DAY HOURS, MILEAGE, MEAL ALLOWANCE	337.80
5503	LESLI FIEDLER	ELECTION TRAINING HOURS, ELECTION DAY HOURS, MILEAGE, MEAL ALLOWANCE	426.20
5504	MYA KITTLER	ELECTION TRAINING HOURS, ELECTION DAY HOURS, MILEAGE, MEAL ALLOWANCE	337.82
5505	SHARON MACK	ELECTION TRAINING HOURS, ELECTION DAY HOURS, MILEAGE, MEAL ALLOWANCE	350.61
5506	KIM KURLE	ELECTION TRAINING HOURS, ELECTION DAY HOURS, MILEAGE, MEAL ALLOWANCE	368.60
5507	STEVE REISER	ELECTION TRAINING HOURS, ELECTION DAY HOURS, MILEAGE, MEAL ALLOWANCE	317.09
5508	VICKI BENZMILLER	ELECTION TRAINING HOURS, ELECTION DAY HOURS, MILEAGE, MEAL ALLOWANCE	452.19
5509	CAROLYN BARDEN	ELECTION TRAINING HOURS, ELECTION DAY HOURS, MILEAGE, MEAL ALLOWANCE	427.40
5510	RENA RUSTAD	ELECTION TRAINING HOURS, ELECTION DAY HOURS, MILEAGE, MEAL ALLOWANCE	458.26
5511	STU MERRY	ELECTION TRAINING HOURS, ELECTION DAY HOURS, MILEAGE, MEAL ALLOWANCE	399.24
5512	DEEANN LOWRY	ELECTION TRAINING HOURS, ELECTION DAY HOURS, MILEAGE, MEAL ALLOWANCE	420.05
5513	MARY LINGELBACH	ELECTION TRAINING HOURS, ELECTION DAY HOURS, MILEAGE, MEAL ALLOWANCE	396.68
5514	PANDORA HUMMEL	ELECTION TRAINING HOURS, ELECTION DAY HOURS, MILEAGE, MEAL ALLOWANCE	393.98
5515	HOLLY FELIX	ELECTION TRAINING HOURS, ELECTION DAY HOURS, MILEAGE, MEAL ALLOWANCE	347.04
5516	LEONE WHITE	ELECTION TRAINING AND ELECTION DAY HOURS, MILEAGE, MEAL ALLOWANCE	382.04
5517	PATRICK FOX	ELECTION TRAINING HOURS, ELECTION DAY HOURS, MILEAGE, MEAL ALLOWANCE	404.15
5518	DELORES WHITE	ELECTION TRAINING HOPURS, ELECTION DAY HOURS, MILEAGE, MEAL ALLOWANCE	527.08
5519	JOSIE FELIX	ELECTION TRAINING HOURS, ELECTION DAY HOURS, MILEAGE, MEAL ALLOWANCE	514.54
5520	MARIE POZARNISKY	ELECTION TRAINING HOURS, ELECTION DAY HOURS, MILEAGE, MEAL ALLOWANCE	382.16
5521	LONNA NELSON	ELECTION TRAINING HOURS, ELECTION DAY HOURS	384.00
5522	MARLINDA MATTHEWS	ELECTION TRAINING HOURS, MILEAGE, ELECTION DAY HOURS, MILEAGE	560.70
5523	VIRGINIA EMINETH	ELECTION TRAINING HOURS, MILEAGE, ELECTION DAY HOURS, MILEAGE	492.36
5524	KATHERN SCHON	ELECTION TRAINING HOURS, MILEAGE, ELECTION DAY HOURS, MILEAGE	508.60
5525	PEGGY WOLLMUTH	ELECTION TRAINING HOURS, ELECTION DAY HOURS	490.50
5526	DEB ARBACH	ELECTION TRAINING HOURS, ELECTION DAY HOURS	388.00
5527	CYNDEE BAUMANN	ELECTION TRAINING HOURS, MILEAGE, ELECTION DAY HOURS, MILEAGE	440.28
5528	DARWIN SAARI	ELECTION TRAINING HOURS, ELECTION DAY HOURS, MILEAGE, MEAL ALLOWANCE	388.64
5529	TODD SCHREINER	ELECTION TRAINING HOURS, ELECTION DAY HOURS, MEAL ALLOWANCE	319.00
309252	AFLAC	MONTHLY PREMIUMS	1,641.87
309253	DELTA DENTAL	DENTAL INSURANCE PREMIUMS	5,603.05
309254	BRAVERA WEALTH	MONTHLY CONTRIBUTIONS	3,801.96

309255	CREDIT BUREAU OF BISMARCK INC	GARNISHMENT	1,120.32
309256	FRATERNAL ORDER OF POLICE	MONTHLY DUES	59.00
309257	USABLE LIFE	CANCER AND ACCIDENT INSURANCE PREMIUMS	124.32
309258	ND CHILD SUPPORT	INSTALLMENTS	2,714.60
309260	STATE TAX COMMISSIONER	2ND QTR 2024	6,053.99
309261	JOB SERVICE OF ND	2ND QTR 2024 - GENERAL PAYROLL	2,007.85
309262	JOB SERVICE OF ND	2ND QTR 2024 - HIGHWAY DEPARTMENT	659.77
309264	DACOTAH PAPER	TOWELS, GARBAGE BAGS, CLEANER, ETC.	517.08
309268	AVESIS	VISION INSURANCE PREMIUMS	1,646.84
	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.	481,117.95

**P-CARD FUNDED PURCHASED
VENDOR**

	DESCRIPTION	AMOUNT
AUTO VALUE	PARTS, OIL	3,157.91
	COUNTY MOTOR POOL OIL	35.99
SWANSTON EQUIPMENT CORPORATION	PARTS FOR 18-000	250.96
LINDE GAS & EQUIPMENT INC	WELDING SUPPLIES	187.90
NAPA AUTO PARTS	PARTS	83.19
RTC	TELEPHONE	147.73
WRT	TELEPHONE	103.18
MCLEAN SHERIDAN RURAL WATER	WATER	173.68
MCLEAN ELECTRIC	ROSEGLEN, UNDERWOOD, GARRISON SHOPS	494.00
VERIZON	KITTLER- HWY CELL	41.98
	KROLL - DES CELL	41.98
	GREY - HWY CELL	41.98
	STATE'S ATTORNEY CELL	46.98
	OBERG - ASSESSOR JETPACK	40.03
	KROLL - DES JETPACK	40.01
INDEED.COM	MAY 2024 JOB ADS	439.86
ULTEIG ENGINEERING	LOST LAKE SURVEY, DAMN FISH PASSAGE	3,320.33
FRONTIER FLORAL	FUNERAL ARRANGEMENT	72.10
QUADIENT LEASING	LEASE PAYMENT 6/30/24 - 9/29/24	614.04
DAKOTA FARMS	PRIMARY ELECTION - LOGIC & ACCURACY TESTING	55.39
AMAZON	LIGHT BULBS	29.72
CIRCLE SANITATION	SANITATION FEE	444.00
KRAUSES	JAIL GROCERIES	53.40
AMAZON	128 GB FLASH DRIVES, BADGE KIT, LABELS, ETC.	216.03
FIREFLY RESERVATIONS	MONTHLY WEBSITE CHARGE FOR PARK	164.50
AMAZON	PRIMARY, GENERAL ELECTION PAPER SUPPLIES	51.98
NORDAK NORTH PUBLICATIONS	COMMISSION MINUTES	756.06
	HELP WANTED ADS	1,685.26
	BOARD OF EQUALIZATION MEETING	31.40
	BIDS	119.72
	PRIMARY ELECTION NOTICES	1,867.56
NORDAK NORTH PUBLICATIONS	P & Z NOTICES, RAINBOW ENERGY PUBLIC HEARING	277.60
NORDAK NORTH PUBLICATIONS	STATE'S ATTORNEY SUMMONS FOR FORFEITURE	86.10
AMAZON	OFFICE SUPPLIES	256.79
WALMART	DYMO TURBO 550 PRINTER - GENERAL ELECTION	179.51
ELECTION SOURCE	BALLOT BAGS	379.76
RECORD KEEPERS	SHREDDING SERVICES	45.00
MATHEW BENDER & COMPANY	ND CENTURY CODE 2024 RV 8B	81.60
BISMARCK RENTALL INC	TRAILER RENTAL FOR PRIMARY ELECTION	342.45
KRAUSES	ELECTIONS FOOD	22.46
CAFÉ 77	PRIMARY ELECTION ABSENTEE BOARD LUNCH	76.51
STOREY KENWORTHY-MATT PARROTT	SECURITY BALLOT BAGS - PRIMARY ELECTION	421.16
	SECURITY BALLOT BAGS - GENERAL ELECTION	221.03
SALHUS SEPTIC PUMPING	PORTA POTTY RENTAL-COUNTY SHOPS	350.00
SALHUS SEPTIC PUMPING	PORTA POTTY RENTAL-DEEPWATER & STEINKE BAY	600.00
NORDAK NORTH PUBLICATIONS	NOTICE - TAX EQUALIZATION	39.36
WRT	SHERIFF	519.72
	COURTHOUSE	1,472.67
	NDSU EXTENSION	127.80
	E-911	84.46
	JURY/PERSONAL	2.88
	PAROLE AND PROBATION	20.00
	E-911 RADIO TOWER	155.13
AMAZON	BATTERIES	27.00
AMAZON	ELECTION - STAPLERS	55.01
DAKOTA FARMS	PRIMARY ELECTION ABSENTEE BOARD LUNCH	109.00
AMAZON	CARDSTOCK	14.29
THE CABIN	PRIMARY ELECTION ABSENTEE BOARD LUNCH	65.54
CLAYTON PLAZA HOTEL	PRISONER TRANSPORT - ROOM	321.76
AMAZON	STAND DESK RISERS, DUAL MONITOR MOUNTS	458.17

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ELECTRONIC COMMUNICATION	INSTALL OF RADIO AND LIGHTS	1,578.00
RTC	BENEDICT SPORTSMEN'S PARK PHONE, DSL	185.68
VERIZON CONNECT FLEET	VEHICLE TRACKING SUBSCRIPTION	488.60
RTC	MISCELLANEOUS SERVICES FOR 911	80.00
WRT	PHONE BILLING	94.46
NORDAK NORTH PUBLICATIONS	SUMMONS ON FORFEITURE	86.10
NAPA	OIL, FILTERS, WINDSHIELD WASH, GREASE	275.42
MCLEAN ELECTRIC	SPORTSMEN'S CENTENNIAL PARK	122.00
	CIVIL DEFENSE	105.00
	PARK BOARD	51.00
	RR LITES	21.00
	SPORTSMEN'S PARK	773.00
	CAMPER PADS	186.00
	CAMPER PADS	283.00
MCLEAN ELECTRIC	CAMPGROUND METER	99.00
VERIZON	DATA CARD	1,047.29
	DETECTIVE PHONES	88.96
	KERZMANN CELL PHONE	41.98
	PATROL CELL PHONES	881.58
AMAZON	BROCHURE STAND	108.99
NAPA	WIPERS, ANTIFREEZE	65.03
PHARMCHEM	SWEAT PATCH ANALYSIS	619.50
AMAZON	CAMMPRO BODY CAMERAS	745.00
CANVA	1-YEAR SUBSCRIPTION	120.00
ELECTRONIC COMMUNICATION	UNDERWOOD, BUTTE, RIVERDALE TOWERS	3,600.00
	BATTERIES	
AMAZON	PENS, MAILING ENVELOPES, FOLDERS	94.26
THE CABIN	PRIMARY CANVASS BOARD MEAL	91.15
DAKOTA DUST TEX	FLOOR MATS FOR COURTHOUSE, COUNTY SHOP	112.00
TOWNEPLACE SUITES	ROOM FOR ANNUAL CONFERENCE	321.00

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

Grey provided a department update to the Commission. He discussed an issue brought to his attention on County Road (CR) 27 where a speed limit sign or a slow sign may need to be installed.

Moved by Lee, seconded by Suydam, to allow the Highway Department to install the appropriate signage to slow down traffic on CR 27. Roll Call Vote: Aye: Lee, Suydam, and Cottingham. Nay: None. Motion carried.

Grey told the Commission they will start mowing county right-of-ways on August 5. Notice will go in the paper for two weeks prior to this taking place.

Adam Ourada, Falkirk Mining Company, joined the meeting.

Grey discussed cattle guards within the county with the commissioners. They recently had to clean some out due to cattle crossing over. Grey stated there is nothing showing where the county is responsible for the maintenance of cattle guards. Cottingham suggested putting a policy in place and communicate it to all individuals involved. Lee suggested speaking with the State's Attorney for guidance.

Chairperson Cottingham recessed the meeting and opened the Hearing on the Temporary Closure of a Section Line at 9:00 a.m.

Ourada presented a request for a temporary closure of a section line road between the SW¼ of Section 29 and the NW¼ of Section 32, Township 145 North, Range 83 West. Discussion followed.

Moved by Lee, seconded by Suydam, to approve the temporary section line closure as requested by Falkirk. Discussion followed. Roll Call Vote: Aye: Lee, Suydam, and Cottingham. Nay: None. Motion carried.

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 roads that interfere 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 road between the SW¼ of Section 29 and the NW¼ of Section 32, Township 145 North, Range 83 West

WHEREAS, a public hearing was held upon the Petition of Falkirk before the Commission on the 2nd day of July, 2024, 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.

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 roads interfere 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 roads 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 roads be temporarily closed until such time as Falkirk’s surface coal mining operations which affect the use of said section line roads by the general public are completed:
 - a. The section line road between the SW¼ of Section 29 and the NW¼ of Section 32, Township 145 North, Range 83 West
2. That Falkirk provide farmers access to their lands for farming purposes during the time that said section line roads are temporarily closed.
3. That within a reasonable period of time after completion of surface coal mining operations Falkirk shall restore said section line roads 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 roads is completed, at which time Falkirk shall tender said section line roads 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 roads and may request Falkirk to show cause why said section line roads 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 2nd day of July, 2024.

ATTEST:

McLEAN COUNTY COMMISSION

Beth Knutson, County Auditor

By: _____

By: _____

By: _____

Chairperson Cottingham adjourned the hearing and reconvened the regular meeting at 9:04 a.m.

Johnson presented the budget for 2025 for E-911 with TELCO Tariffs decreasing from \$22,000.00 to \$15,000.00 and Monthly Fee-Redundant Circuit increasing from \$32,000.00 to \$40,000.00. Total budget presented, not including Salaries, \$95,950.00

Johnson presented the budget for 2025 for Communications with Tower Repeater increasing from \$0.00 to \$20,000.00. Total budget presented, not including Salaries, \$29,000.00.

Chairperson recessed the meeting and opened the hearing on operating 100 feet of the outside right-of-way line at 9:10 a.m.

Ourada requested permission to conduct surface coal mining operations 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, 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

Discussion followed.

Moved by Lee, seconded by Suydam, to approve the operations within 100 feet of the outside right-of-way line as amended by Falkirk. Discussion followed. Roll Call Vote: Aye: Lee, Suydam, and Cottingham. Nay: None. Motion carried.

**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 west side of the section line trail between Section 1, Township 145 North, Range 84 West and Section 6, Township 145, 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

WHEREAS, a public hearing was held upon the Petition of Falkirk before the Commission on the 2nd day of July, 2024, at 9:10 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 west side of the section line trail between Section 1, Township 145 North, Range 84 West and Section 6, Township 145, 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

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 2nd day of July, 2024.

ATTEST:

McLEAN COUNTY COMMISSION

By: _____

Beth Knutson, County Auditor

By: _____

By: _____

Chairperson Cottingham adjourned the hearing and reconvened the regular meeting at 9:15 a.m.

Grey presented a permit requested by Falkirk Mining Company to install and maintain a mining haul road at-gate crossing under CR 17. Haul road will have a 100-foot finished width, surfaces with aggregate.

Moved by Suydam, seconded by Lee, to approve the permit requested by Falkirk Mining Company as presented. Roll Call Vote: Aye: Suydam, Lee, and Cottingham. Nay: None. Motion carried.

Knutson discussed the open McLean-Mercer Regional Library Board positions and informed the commission that Elizabeth Patterson and Stacey Kinzler have volunteered to fill those openings.

Moved by Lee, seconded by Suydam, to appoint Elizabeth Patterson and Stacey Kinzler to the McLean-Mercer Regional Library Board for three-year terms. Roll Call Vote: Aye: Lee, Suydam, and Cottingham. Nay: None. Motion carried.

Knutson presented a letter of interest for the open Dakota Central Human Service Zone (DCHSZ) Board position from Margaret Rasmussen.

Moved by Lee, seconded by Suydam to appoint Margaret Rasmussen to the DCHSZ Board. Roll Call Vote: Aye: Suydam, Lee, and Cottingham. Nay: None. Motion carried.

Knutson discussed the open McLean County Planning and Zoning Board position for the Underwood area and informed the commission that the Underwood City Auditor Courtney Adams has volunteered to fill that position.

Moved by Lee, seconded by Suydam, to appoint Courtney Adams to the McLean County Planning and Zoning Board representing the Underwood area. Roll Call Vote: Aye: Lee, Suydam, and Cottingham. Nay: None. Motion carried.

Knutson then discussed the open School Reorganization Committee position and informed the commission that Chelsey Brandt from Washburn has volunteered to fill that position.

Moved by Lee, seconded by Suydam, to appoint Chelsey Brandt to the School Reorganization Committee. Roll Call Vote: Aye: Suydam, Lee, and Cottingham. Nay: None. Motion carried.

Knutson presented the Pledge of Securities received from TruCommunity Bank for the period ending June 30, 2024. The total public deposits were \$25,562,059.38 and the total pledged securities were \$26,386,830.82 with an overage of \$824,771.44.

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

Moved by Lee, seconded by Suydam, to approve the Dakota Central Human Service Zone (DCHSZ) Transfer of Funds Resolutions and the McLean County Auditor's Sweep Account Transfer of Funds Resolution. 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.

Moved by Suydam, seconded by Cottingham, to approve the Local Raffle Permit Application submitted by District 33 Republicans for a raffle to be held at Lewis and Clark Interpretive Center on September 21, 2024, with prizes listed as: four \$250.00 gift certificates and nine guns for a total prize value of \$6,896.71. Roll Call Vote: Aye: Suydam, Lee, and Cottingham. Nay: None. Motion carried.

Lee told the commission he had a request to revisit the option of banning golf carts and other UTVs from the Sportsmen's Centennial Campground. Lee would like this to be put on the agenda for the fall park board meeting.

Received and ordered filed the fee collection report from the Recorder's Department for the month of June in the amount of \$8,141.80.

Received and ordered filed the fee collection report from the Sheriff's Department for the month of June in the amount of \$1,705.76.

Knutson presented the budget narrative for period ending June 30, 2024. She presented data showing property tax collections are at 92% collected including 96% with discount for 2024 or \$19,922,364.13, government reimbursement revenues totaled \$1,352,476.49 compared to \$1,444,899.46 in 2023, fees and miscellaneous revenues totaled \$822,032.56 compared to \$1,048,851.61 in 2023, and expenditures were at 45.94% of total budget for 2024.

Knutson presented the current list of delinquent tax payers owing more than \$4,000.00 showing 54 taxpayers owing \$536,813.62 in back taxes.

Knutson presented the Uncollected Tax List for years 2021-2023 showing a total of \$1,337,070.12.

Beth Bruestle joined the meeting to present the proposed budget for McLean-Mercer Regional Library for 2025. She discussed a proposed salary increase of \$1.50 per hour for all staff. Bruestle presented the revenue picture for the library including the amount in reserves then presented a complete picture of proposed non-salary expenditures. Total budget presented, \$632,355.00 with McLean County's portion being \$350,700.00.

Lynn Oberg and Shannon Jeffers of the Water Resource Board joined the meeting to present the board's budget for 2025. They discussed several projects around McLean County. Total presented, \$158,500.00.

Johnson rejoined the meeting to discuss the quote he had received from Enterprise to lease a 2023 Ford Expedition to replace one that was damaged and fixed but while it was waiting to get repaired it became infested with mice. Enterprise will buy the repaired vehicle from the Sheriff's Department and take that amount off the lease amount.

Moved by Lee, seconded by Suydam, to approve the lease agreement as presented with Enterprise. Roll Call Vote: Aye: Lee, Suydam, and Cottingham. Nay: None. Motion carried.

Knutson presented the proposed budget for 2025 for State's Attorney, with the change being the Salaries line item has been left blank and Capital Outlay/Victim Advocacy increased \$10,000.00. Total budget presented, not including Salaries, \$20,000.00.

Knutson presented the proposed 2025 budget for McLean County Fair Board. Telephone line item decreased from \$1,400.00 to \$1,000.00; Advertising line item increased from \$5,000.00 to \$7,000.00; Capital Improvement line item decreased from \$14,500.00 to \$7,300.00; Repairs line item increased from \$12,000.00 to \$13,000.00; Rentals line item increased from \$3,000.00 to \$3,500.00; Ribbons & Plaques line item increase from \$1,500.00 to \$2,500.00; Dues/Membership/Travel/Meetings line item increase from \$2,000.00 to \$4,000.00; Contract Labor line item increase from \$3,000.00 to \$4,000.00; and Equipment line item increased from \$4,400.00 to \$4,500.00. Total budget presented, \$90,000.00.

Knutson presented the 2025 budget for First District Health Unit requesting 2.37 mills or \$215,670.00.

There being no further business, the Chairperson declared the meeting adjourned at 10:17 a.m. The commission minutes and agenda can be found on the county website at <https://www.mcleancountynd.gov>.

Steve Cottingham, Chairperson

Kayla Oberlander, Deputy Auditor