

Proceedings of the Mountrail County Commissioners

1. OPENING & ROLL CALL

The Board met in regular session on Tuesday, March 21, 2023 at 9:00 A.M. in the Emergency/Community Room, Mountrail County Courthouse, Stanley ND with Commissioners Joan Hollekim, Trudy Ruland, Wayne Olson, Jason Rice and John DeGroot present. State’s Attorney, Wade Enget was present.

Chairman Ruland called the meeting to order.

2. BUSINESS

A. AGENDA

Moved by Comm. Hollekim, seconded by Comm. DeGroot, to review and approve the agenda as corrected. Upon roll call, all present voted yes. Motion carried.

B MINUTES

Moved by Comm. DeGroot, seconded by Comm. Rice, to approve the minutes of the March 7, 2023 meeting as corrected. Upon roll call, all present voted yes. Motion carried.

Moved by Comm. Hollekim, seconded by Comm. Olson, to approve the special minutes of the March 13, 2023 meeting as corrected. Upon roll call, all present voted yes.

C. FEES

Moved by Comm. Olson, seconded by Comm. Rice, to approve the January and February fees for the Recorder and Planning and Zoning Offices. Upon roll call, Olson, DeGroot, Ruland, Rice and Hollekim voted yes. Motion carried.

D. PAYROLL

Moved by Comm. Olson, seconded by Comm. Hollekim, to approve the salary increase form for successful completion of satisfactory probationary period for Kathleen Everhart with Road & Bridge as a Roadworker I to the amount of \$4,675 per month/\$56,100 per year. Upon roll call, Ruland, Rice, Olson, Hollekim and DeGroot voted yes. Motion carried.

Moved by Comm. Hollekim, seconded by Comm. DeGroot, to approve the salary increase form for a promotion for Tyrell Thiessen with Road & Bridge as a Foreman to the amount of \$5,772.75 per month/\$69,273 per year. Upon roll call, Rice, Olson, DeGroot, Hollekim and Ruland voted yes. Motion carried.

Moved by Comm. Rice, seconded by Comm. DeGroot, to approve signing the Employee Assistance Loan Agreement with Brennor Grinstead for the Commercial Drivers License Program (CDL) totaling \$139 per month/\$5,004 for 36 months. Upon roll call, Ruland, Hollekim, Olson, DeGroot and Rice voted yes. Motion carried.

E. RESCUE BOAT

Comm. DeGroot and Corey Bristol, Sheriff will form a small committee to develop specifications for a rescue boat.

F. BILLS

Moved by Comm. Olson, seconded by Comm. Rice, to approve the bills totaling \$381,461.71. Upon roll call, Rice, DeGroot, Hollekim, Olson and Ruland voted yes. Motion carried. (A complete list of bills is posted on a regular basis on the Mountrail County website @ [www.co.mountrail.nd.us](http://www.co.mountrail.nd.us) under the County Commissioner heading and/or are available for review in the Auditor’s Office during normal business hours).

**APPROVED 03/21/2023 - PAYMENT 03/21/2023**

<u>Warrant #</u>	<u>Vendor Name</u>	<u>Warrant Total</u>
106296	ARAMARK UNIFORM SERVICES	901.90
	GENERAL FUND	657.72
	COUNTY ROAD & BRIDGE FUND	244.18

106297	ARMOR INTERACTIVE GENERAL FUND DOCUMENT PRESERVATION FUND	8,197.84 7,657.84 540.00
106298	BBH INSURANCE, INC GENERAL FUND	8.00 8.00
106299	BERT'S TRUCK EQUIPMENT, INC COUNTY ROAD & BRIDGE FUND	453.52 453.52
106300	CITY OF STANLEY WEED CONTROL FUND	21.25 21.25
106301	COUNTIES PROVIDING TECHNOLOGY GENERAL FUND	3,920.00 3,920.00
106302	CUMMINS SALES AND SERVICE GENERAL FUND	611.00 611.00
106303	D & L CONSTRUCTION, INC COUNTY ROAD & BRIDGE FUND	780.00 780.00
106304	DAKOTA DRUG CO GENERAL FUND	632.71 632.71
106305	DAKOTA DUST-TEX, INC GENERAL FUND	269.30 269.30
106306	ENERBASE GENERAL FUND COUNTY ROAD & BRIDGE FUND	19,285.72 2,405.56 16,880.16
106307	ENGET/WADE GENERAL FUND	137.50 137.50
106308	GRAPHICS, LETTERING & TRIM GENERAL FUND	56.00 56.00
106309	GRAVEL PRODUCTS INCORPORATED COUNTY ROAD & BRIDGE FUND	30,050.10 30,050.10
106310	HDR ENGINEERING, INC COUNTY ROAD & BRIDGE FUND	37,923.20 37,923.20
106311	HOME OF ECONOMY COUNTY ROAD & BRIDGE FUND	291.89 291.89
106312	INFORMATION TECHNOLOGY DEPT GENERAL FUND E 911 EMERGENCY/WIRELESS FUND	6,835.74 3,395.20 3,440.54
106313	JOHN DEERE FINANCIAL COUNTY ROAD & BRIDGE FUND	1,320.34 1,320.34
106314	KOHLER COMMUNICATIONS INC GENERAL FUND	627.60 627.60
106315	LIGHT HOUSE TRADES, INC. COUNTY ROAD & BRIDGE FUND	139.04 139.04
106316	MEDICAL SOLUTIONS INC GENERAL FUND	125.20 125.20
106317	MENARDS - MINOT GENERAL FUND	232.20 232.20
106318	MOUNTRAIL COUNTY HEALTH CENTER GENERAL FUND	1,400.00 1,400.00

106319	MOUNTRAIL COUNTY PROMOTER GENERAL FUND	44.71 44.71
106320	MOUNTRAIL COUNTY TOWNSHIP OFFICERS ASSOC GENERAL FUND	80.00 80.00
106321	MOWBRAY & SON, INC GENERAL FUND	72,573.43 72,573.43
106322	ND ASSOCIATION OF COUNTIES GENERAL FUND	189.00 189.00
106323	ND COUNTY TREASURERS ASSN GENERAL FUND	125.00 125.00
106324	ND DEPT OF TRANSPORTATION COUNTY ROAD & BRIDGE CAPITAL PROJECTS	4,378.34 4,378.34
106325	ND ENVELOPE COMPANY COUNTY ROAD & BRIDGE FUND	617.25 617.25
106326	NEW TOWN CITY COUNTY ROAD & BRIDGE FUND	52.00 52.00
106327	NEW TOWN FIRE DEPARTMENT CO. HAZARDOUS CHEMICAL ACCOUNT FUND	18,489.97 18,489.97
106328	NORTH AMERICAN TRAILER SALES, INC COUNTY ROAD & BRIDGE FUND	1,057.69 1,057.69
106329	NORTH DAKOTA CHAPTER OF APCO E 911 EMERGENCY/WIRELESS FUND	1,350.00 1,350.00
106330	NORTHERN PUMP & COMPRESSION, INC COUNTY ROAD & BRIDGE FUND	2,153.25 2,153.25
106331	NORTHWEST COMMUNICATIONS COOP E 911 EMERGENCY/WIRELESS FUND	129.00 129.00
106332	NORTHWEST WATER TRANSFER COUNTY ROAD & BRIDGE FUND	1,000.00 1,000.00
106333	O'REILLY AUTO PARTS COUNTY ROAD & BRIDGE FUND	29.98 29.98
106334	ODP BUSINESS SOLUTIONS LLC GENERAL FUND COUNTY ROAD & BRIDGE FUND COUNTY AGENT FUND	2,839.66 2,711.21 109.39 19.06
106335	OTTER TAIL POWER COMPANY GENERAL FUND	361.11 361.11
106336	PARADIGM LIAISON SERVICES GENERAL FUND	1,000.00 1,000.00
106337	PINNACLE GENERAL FUND COUNTY ROAD & BRIDGE FUND	35,579.92 3,865.38 31,714.54
106338	PLAZA OK HARDWARE COUNTY ROAD & BRIDGE FUND	172.92 172.92
106339	POMP'S TIRE SERVICE COUNTY ROAD & BRIDGE FUND	1,986.98 1,986.98
106340	PRAIRIE FORD, INC. GENERAL FUND	85.83 85.83

106341	PRODUCTIVITY PLUS ACCOUNT COUNTY ROAD & BRIDGE FUND	8,925.05 8,925.05
106342	PURCHASE POWER GENERAL FUND	1,994.35 1,994.35
106343	QUADIENT FINANCE USA INC GENERAL FUND	1,432.30 1,432.30
106344	R & J PUBLISHING LLC COUNTY ROAD & BRIDGE FUND	1,514.70 1,514.70
106345	R & T WATER DISTRICT COUNTY PARKS FUND	50.00 50.00
106346	RDO EQUIPMENT CO COUNTY ROAD & BRIDGE FUND	1,961.40 1,961.40
106347	RECORD KEEPERS, LLC GENERAL FUND	17.50 17.50
106348	RODGERS/SHAYLA GENERAL FUND	65.70 65.70
106349	RTC NETWORKS GENERAL FUND COUNTY ROAD & BRIDGE FUND COUNTY PARKS FUND COUNTY AGENT FUND WEED CONTROL FUND	5,673.90 4,905.14 250.62 371.20 73.47 73.47
106350	SIDWELL, HARRIS LOCAL GOVERNMENT GENERAL FUND	660.00 660.00
106351	SOURIS RIVER TELECOMMUNICATIONS E 911 EMERGENCY/WIRELESS FUND	168.00 168.00
106352	STANLEY AUTO & TRUCK COUNTY ROAD & BRIDGE FUND	218.63 218.63
106353	STANLEY FIRE DEPARTMENT CO. HAZARDOUS CHEMICAL ACCOUNT FUND	42,419.00 42,419.00
106354	STANLEY HARDWARE GENERAL FUND COUNTY ROAD & BRIDGE FUND	1,330.92 844.94 485.98
106355	STANLEY PROFESSIONAL BUILDING VETERAN'S SERVICE OFFICER FUND	650.00 650.00
106356	STAPLES, INC. AND SUBSIDIARIES COUNTY ROAD & BRIDGE FUND	62.86 62.86
106357	STRAIGHT UP CONSTRUCTION GENERAL FUND	360.00 360.00
106358	SUMMIT FOOD SERVICE, LLC GENERAL FUND	9,743.26 9,743.26
106359	TAYLOR/KORI GENERAL FUND	1,000.00 1,000.00
106360	THOMAS LAW FIRM GENERAL FUND	175.00 175.00
106361	THOMSON REUTERS-WEST PUBLISHING CORP. GENERAL FUND	626.62 626.62

106362	TIOGA RURAL FIRE DEPT	6,168.00
	154-94 UNORGANIZED TOWNSHIP	1,951.00
	155-94 UNORGANIZED TOWNSHIP	4,217.00
106363	TRACTOR SUPPLY COMPANY	310.94
	GENERAL FUND	219.99
	COUNTY ROAD & BRIDGE FUND	90.95
106364	ULINE	177.33
	COUNTY ROAD & BRIDGE FUND	177.33
106365	UNIFORM CENTER	89.98
	GENERAL FUND	89.98
106366	UNITED QUALITY COOPERATIVE	6,494.36
	GENERAL FUND	5,391.09
	COUNTY ROAD & BRIDGE FUND	1,103.27
106367	VAN HOOK RESORT, LLC	17,817.50
	COUNTY PARKS FUND	17,817.50
106368	VERIZON WIRELESS	1,536.75
	GENERAL FUND	120.71
	COUNTY ROAD & BRIDGE FUND	326.01
	E 911 EMERGENCY/WIRELESS FUND	1,058.32
	WEED CONTROL FUND	31.71
106369	WAGNER & SONS CONSTRUCTION INC	10,165.00
	COUNTY ROAD & BRIDGE FUND	10,165.00
106370	WESTLIE TRUCK CENTER	78.88
	COUNTY ROAD & BRIDGE FUND	78.88
	<b>FINAL TOTAL</b>	<b>381,461.71</b>

G. LEGISLATIVE BILLS

Wade Enget, State’s Attorney discussed HB 1213 relating to reimbursement for a finding of self-defense when charged with a crime of violence; and to provide for application.

APPOINTMENT SCHEDULED

9:15 A.M.

Warren Bogert, DES Coordinator along with Matt Ross Harris met with the board to discuss possible funding from the Hazard Mitigation Grant Program for constructing a private tornado shelter near White Earth.

Moved by Comm. DeGroot, seconded by Comm. Rice, to approve applying for a grant through the State Disaster Emergency Services for funding from Hazard Mitigation to construct a tornado shelter near White Earth with no cost to the county. Upon roll call, Olson, Hollekim, DeGroot, Rice and Ruland voted yes. Motion carried.

9:30 A.M.

Lori Hanson, Tax Director discussed the abatement on parcel #56-0024300 for the 2022 year.

Moved by Comm. Hollekim, seconded by Comm. Rice, to approve the abatement on parcel #56-0024300 for the 2022 year due to qualifying for property exemption as used for religious purposes as per the recommendation of the City of New Town and Tax Director Hanson. Upon roll call, Olson, Ruland, Hollekim, Rice and DeGroot voted yes. Motion carried.

9:32 A.M.

Lori Hanson, Tax Director discussed the abatement on parcel #16-9000600 for 2016-2023 years.

Moved by Comm. Olson, seconded by Comm. DeGroot, to approve the abatement on parcel #16-9000600 for the 2016-2023 years due to mobile home being unlivable as per the recommendation of Tax Director Hanson. Upon roll call, Hollekim, Olson, DeGroot, Ruland and Rice voted yes. Motion carried.

9:34 A.M.

Lori Hanson, Tax Director discussed the abatement on parcel #58-0045200 for 2022 year.

Moved by Comm. Rice, seconded by Comm. Olson, to approve the abatement on parcel #58-0045200 for the 2022 year due to qualifying for Homestead Credit as per the recommendation of Tax Director Hanson. Upon roll call, Ruland, Rice, Olson, Hollekim and DeGroot voted yes. Motion carried.

9:40 A.M.

Tammy Leupp, Building Supervisor met with the board to give updates on the Memorial Building change orders and the discussion on the county shop bids and the flooring quotes for the South Complex Building.

Moved by Comm. Hollekim, seconded by Comm. DeGroot, to approve signing the change order #6 for the Memorial Building from Maertens-Brenny Construction Company totaling \$18,136.54. Upon roll call, Ruland, Rice, DeGroot, Hollekim and Olson voted yes. Motion carried.

Moved by Comm. Ruland, seconded by Comm. DeGroot, to approve signing the change order #4 for the Memorial Building from Maertens-Brenny Construction Company totaling \$25,899.10. Upon roll call, Hollekim, DeGroot, Olson, Ruland and Rice voted yes. Motion carried.

Moved by Comm. Olson, seconded by Comm. Rice, to approve signing the change order #2 for the Memorial Building from Maertens-Brenny Construction Company totaling \$15,085. Upon roll call, Olson, Ruland, Rice, DeGroot and Hollekim voted yes. Motion carried.

Moved by Comm. Rice, seconded by Comm. DeGroot, to approve advertising for Professional Architectural Services for planning, design and construction management services for a new county shop with proposals submitted by April 14, 2023 at 4:00 P.M. Upon roll call, Olson, DeGroot, Hollekim, Rice and Ruland voted yes. Motion carried.

Moved by Comm. DeGroot, seconded by Comm. Olson, to approve the quote from Diversified Coatings, Inc for the South Complex concrete flooring totaling \$81,152. Upon roll call, Rice, Ruland, Hollekim, DeGroot and Olson voted yes. Motion carried.

9:50 A.M.

Warren Bogert, appointed representative for the grievance filed by Russell Klimpel, met with the Board to discuss his findings pertaining to the grievance. State's Attorney Enget stated Step II of Grievance Policy 515 of the Employee Handbook has been completed and the Board needs to follow through with Step III of this policy. Mr. Klimpel sent an appeal letter that his grievance be forwarded to the Board of County Commissioners as Mr. Bogert and he did not come to an agreement.

Moved by Comm. DeGroot, seconded by Comm. Olson, to direct Mr. Bogert to submit his findings in writing regarding the grievance filed by Mr. Klimpel and to approve sending a letter from the Board offering the grievant an opportunity to meet with the Board on April 4, 2023 at 9:00 A.M. concerning grievance(s) left unresolved. Upon roll call, all present voted yes. Motion carried.

10:00 A.M.

Present for the discussion were Lori Hanson, Tax Director and Rory Porth, Tax Assessor.

Discussion was held on the Tyler Technology responses to the Letter of Intent to move forward with the Software program. Ron Pieracci with Tyler Technology responded with an email stating

1) We must take exception to the three paragraphs in the letter that describes the transfer of data between Counties Providing Technology (CPT) and Tax-Wise. It is not an arrangement we can agree to. Tax-Wise is built to transfer data in both directions between Vanguard Appraisals and Tax-Wise. We currently have no API's or webservices available in Tax-Wise for an external program (i.e., CPT) to manipulate data in our production databases. While it is technically possible to create such interfaces, we can't help but think this would open-up unintended consequences for our clients. The approach we employ using standard interface files gives our clients the control they need over the data to ensure a stable and reliable environment.

2) No interface exists between Tax-Wise and Counties Providing Technology (CPT). We believe that an integration between competitors opens-up the likelihood of finger pointing where the client is left in an undesirable situation. The best solution for Mountrail County is to utilize Vanguard's CamaVision software for your appraisal system and Tax-Wise for your billing system.

3) Since Vanguard can communicate with both Counties Providing Technology (CPT) and Tax-Wise, there might a way where Vanguard could keep both systems updated however, we know of no sites where this is in place. If an arrangement like this is even possible, the potential for errors could be extremely difficult to resolve.

4) In consideration of the first 3 items above, while the letter provides an expression of confidence, we will need a more formal agreement in place to proceed. The attached License and Services Agreement, when fully executed by both parties constitutes what we need to move forward. Joel Flaten with Counties Providing Technology (CPT) was in concurrent with Tyler's comments and stated that it would be best to all go to Tyler Technology or all stay with Counties Providing Technology (CPT).

Moved by Comm. Rice, seconded by Comm. DeGroot, to approve signing the Tyler Technology Software agreement. Upon roll call, Ruland, Rice, DeGroot, Olson voted yes and Hollekim voted no. Motion carried.

10:15 A.M.

Jana Hennessy Engineer met to discuss Road & Bridge.

#### 1. CR 12 CONSTRUCTION AGREEMENT

Moved by Comm. Rice, seconded by Comm. Olson, to approve signing the Construction Agreement with Martin Construction for the Plaza West CR#12 Widening & HMA Surfacing Project #12(42)22. Upon roll call, Ruland, Olson, DeGroot, Hollekim and Rice voted yes. Motion carried.

Moved by Comm. Olson, seconded by Comm. DeGroot, to approve the Notice to Proceed for project CR 12. Upon roll call, Olson, Hollekim, Ruland, Rice and DeGroot voted yes. Motion carried.

#### 2. 41<sup>ST</sup> ST NW RECONSTRUCTION PROJECT

Engineer Hennessy discussed the payment responsibilities for New Town and the county for the 41<sup>st</sup> St NW Reconstruction Project. Comm. DeGroot met with the City and they agreed to have the County as owner and New Town reimburse Mountrail County.

Discussion was held concerning the right of way easement prices with Gloria Hoff, Joyce Wright & Carol Moberg on 41<sup>st</sup> St NW Reconstruction Project. An email was received from Joyce Wright pertaining to their attorney starting a petition to close the section line between sections 1 and 12 of Unorganized Township 152-93. Joyce Wright was present via phone and expressed her concerns on wanting assurance their closure request will be granted. The Board isn't against closing a portion of the section line due to already having access, the rugged terrain and the connecting section line being US Army Corps of Engineer owned but the process of closing this portion of section line needs to be followed first. Joyce Wright is also requesting the changes to include a "hold harmless" clause be added to the Temporary Road Easement.

Moved by Comm. DeGroot, seconded by Comm. Olson, to approve moving forward with bidding the 41<sup>st</sup> St NW Reconstruction Project subject to obtaining signed right of way easements needed for this project. Upon roll call, Ruland, Rice, Olson, DeGroot and Hollekim voted yes. Motion carried.

#### 3. BASIC DATA BOOK CR 11, CR 10, CR 9, CR 3

Austin Becker, Engineer with Ackerman and Estvold discussed the soil comparisons on the cropland.

Moved by Comm. Olson, seconded by Comm. Hollekim, to approve setting the right of way prices for permanent easements as follows: pasture land at \$1,000 per acre and hay land and cropland at \$2,000 per acre for CR 3, CR 10, CR 9 & CR 11. Upon roll call, Ruland, Rice, Olson, Hollekim and DeGroot voted yes. Motion carried.

#### 4. LETTER TO RAIL/HIGHWAY CROSSING SAFETY MANAGER

Engineer Hennessy gave an update from James Styron with the Highway/Rail Crossing Safety Manager stating In Summary:

- A field diagnostic was conducted 4/28/2021. In attendance: Township, County, BNSF and State
- The diagnostic team agreed and recommended an active warning system
- BNSF was excluded from the 2022 Program (reasons above)
- The crossing was monitored and stop signs were added as an interim safety measure in 2022
- NDDOT did receive a cost estimate from BNSF dated February 27, 2023
- The 2023 Rail Safety Program is still being developed at this time

Discussion was held on providing assistance to townships for improvements to railroad crossing projects that are approved through the ND Department of Transportation. Engineer Hennessy will develop a township assistance form for railroad crossing safety improvements on school bus routes on township roads.

5. HAUL ROUTE AGREEMENT BIOURJA AND COVIA CR 17 IN NEW TOWN

Moved by Comm. DeGroot, seconded by Comm. Olson, to approve signing the haul route agreement with BioUrja and Covia to utilize CR 17 as previously authorized at the Board’s 2/7/2023 meeting. Upon roll call, Rice, Olson, Hollekim, DeGroot and Ruland voted yes. Motion carried.

6. NDDOT

Moved by Comm. Hollekim, seconded by Comm. Rice, to approve and sign the final certification of local match with NDDOT for the 2021 Chip Seal & Pavement Marking Project SC-CVD-3100(021). Upon roll call, Hollekim, DeGroot, Ruland, Rice and Olson voted yes. Motion carried.

7. PLAZA SHOP-ICS SHAWN VOELLER

Engineer Hennessy stated Shawn Voeller with ICS was at the Plaza Shop today looking into the issues.

8. NDDOT STANLEY TRUCK BYPASS

Chairman Ruland will discuss further safety concerns with NDDOT for the Stanley Truck Bypass.

11:15 A.M.

Melissa Vachal, Recorder met with the board to discuss hosting of the Recorders Convention in Stanley on June 19-22nd and requested Chairman Ruland to officially speak at the opening on the 21st.

4. ADJOURN

The Board adjourned at 11:51 A.M. to meet in regular session on Tuesday, April 4, 2023 at 9:00 A.M. Accepted and approved this 4<sup>th</sup> day of April, 2023.

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Trudy Ruland, Chairman  
Mountrail County Commissioner

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Stephanie A. Pappa  
Mountrail County Auditor