

## Proceedings of the Mountrail County Commissioners

## 1. OPENING &amp; ROLL CALL

The Board met in regular session on Tuesday, August 6, 2024 at 9:00 A.M. in the Emergency/Community Room, Mountrail County Courthouse, Stanley ND with Commissioners Trudy Ruland, Wayne Olson, Jason Rice, Joan Hollekim and John DeGroot present. State's Attorney, Wade Enget was present.

Chairman Ruland called the meeting to order. The Pledge of Allegiance was recited.

## 2. BUSINESS

## A. AGENDA

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

## B. MINUTES

Moved by Comm. Olson, seconded by Comm. DeGroot, to approve the minutes of the July 16, 2024 meeting as corrected. Upon roll call, all present voted yes. Motion carried.

## C. FEES

Moved by Comm. Hollekim, seconded by Comm. Rice, to approve the June fees for the Corrections. Upon roll call, Hollekim, Rice, Olson, DeGroot and Ruland voted yes. Motion carried.

## D. PAYROLL

Moved by Comm. Rice, seconded by Comm. Hollekim, to approve the sick & vacation leave for appointed officials for the month of June. Upon roll call, Rice, Olson, Hollekim, DeGroot and Ruland voted yes. Motion carried.

Moved by Comm. Olson, seconded by Comm. DeGroot, to approve the regular full-time employee classification for Kristen Jones with the Mountrail McKenzie Human Service Zone as an Eligibility Worker Tech Position-Support Specialist in the amount of \$22 per hour/\$45,760 per year. Upon roll call, Olson, Hollekim, Ruland, Rice and DeGroot voted yes. Motion carried.

Moved by Comm. Hollekim, seconded by Comm. DeGroot, to approve the regular full-time employee classification for Tina Lahti with the Mountrail McKenzie Human Service Zone as a Family Service Specialist I in the amount of \$28 per hour/\$58,240 per year. Upon roll call, Ruland, Rice, Olson, Hollekim and DeGroot voted yes. Motion carried.

Moved by Comm. Olson, seconded by Comm. Rice, to approve the salary increase form for Angela Gustafson with the Auditor's Office as a Payroll/Election Clerk for the successful completion of probationary period to the amount of \$28.06 per hour/\$58,366 per year. Upon roll call, Rice, Olson, Hollekim, DeGroot, and Ruland voted yes. Motion carried.

Moved by Comm. Olson, seconded by Comm. DeGroot, to approve the unpaid leave for Kurt Meyers with the Road & Bridge as a Roadworker from July 21<sup>st</sup> until August 11<sup>th</sup>. Upon roll call, DeGroot, Rice, Hollekim, Ruland and Olson voted yes. Motion carried.

## E. TRANSFER

Moved by Comm. Hollekim, seconded by Comm. DeGroot, to approve the transfer for Road Projects for 2024 from General Fund to the Road & Bridge Fund in the amount of \$45,197,496. Upon roll call, Rice, Ruland, Olson, Hollekim and DeGroot voted yes. Motion carried.

## F. STOPPAYMENT

Moved by Comm. DeGroot, seconded by Comm. Rice, to approve the stop payment and reissue for lost check #109279 on 6/18/2024 for Tyler Technologies, Inc in the amount of \$2,025. Upon roll call, DeGroot, Ruland, Rice, Olson and Hollekim voted yes. Motion carried.

Moved by Comm. Olson, seconded by Comm. Hollekim, to approve the stop payment and reissue for lost check #107699 on 10/17/2023 for Natalie Heydt in the amount of \$395.72. Upon roll call, Olson, Hollekim, Ruland, Rice and DeGroot voted yes. Motion carried.

G. RAFFLE PERMIT

Moved by Comm. Rice, seconded by Comm. DeGroot, to approve the raffle permit for Coyote Wrestling Club to be held at the White Earth Bay on August 23<sup>rd</sup> and 24<sup>th</sup>. Upon roll call, Olson, DeGroot, Ruland, Hollekim and Rice voted yes. Motion carried.

H. LEASE AGREEMENT

Comm. Hollekim discussed the Upper Missouri District Health Unit (UMDHU) lease in the amount of \$166.88 that has been in place since November 6<sup>th</sup>, 2001.

Moved by Comm. Hollekim, seconded by Comm. DeGroot, to approve amending the lease agreement with Upper Missouri District Health Unit (UMDHU) to the dollar amount of \$625 effective for the 2025 year. Upon roll call, Hollekim, Rice, Olson, DeGroot and Ruland voted yes. Motion carried.

I. BILLS

Moved by Comm. DeGroot, seconded by Comm. Rice, to approve the bills totaling \$20,294,165.33 and July 7 through July 20 payroll, checks #17920-17937 and direct deposits #22072-22241 totaling \$609,470.02. Upon roll call, Rice, Olson, Hollekim, DeGroot 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 08/06/2024 - PAYMENT 08/06/2024**

<u>Warrant #</u>	<u>Vendor Name</u>	<u>Warrant Total</u>
109526	ACKERMAN-ESTVOLD ENGINEERING & MANAGEMEN COUNTY ROAD & BRIDGE FUND	5,431.25 5,431.25
109527	ACME TOOLS COUNTY ROAD & BRIDGE FUND COUNTY PARKS FUND WEED CONTROL FUND	451.66 199.48 66.37 185.81
109528	ADVANCED BUSINESS METHODS GENERAL FUND COUNTY ROAD & BRIDGE FUND HUMAN SERVICE ZONE DOCUMENT PRESERVATION FUND COUNTY AGENT FUND	2,579.88 150.42 150.42 328.62 1,800.00 150.42
109529	AMAZON CAPITAL SERVICES GENERAL FUND GENERAL CAPITAL PROJECTS	460.28 208.44 251.84
109530	ARMOR INTERACTIVE GENERAL FUND HUMAN SERVICE ZONE DOCUMENT PRESERVATION FUND	9,262.43 5,992.80 2,729.63 540.00
109531	ASTORIA HOTEL & EVENT CENTER GENERAL FUND	96.30 96.30
109532	ASWS LLC DBA HAMLIN WATER COUNTY ROAD & BRIDGE FUND	2,000.00 2,000.00
109533	AXON ENTERPRISE, INC. GENERAL FUND	102.69 102.69
109534	BADLANDS OCCUPATIONAL TESTING SERVICES HUMAN SERVICE ZONE	1,372.00 1,372.00
109535	BARANKO BROTHERS, INC	1,307,086.80

	COUNTY ROAD & BRIDGE CAPITAL PROJECTS	1,307,086.80
109536	BBH INSURANCE, INC GENERAL FUND	50.00 50.00
109537	BEN SCOTT CUSTOM CONSTRUCTION COUNTY PARKS FUND	9,000.00 9,000.00
109538	BOB HAYES ADDICTION SERVICES HUMAN SERVICE ZONE	3,660.00 3,660.00
109539	BOGERT JR/WARREN GENERAL FUND	115.00 115.00
109540	BRAD'S HARDWARE HANK COUNTY PARKS FUND	32.99 32.99
109541	BRAVERA BANK GENERAL FUND	2,500.00 2,500.00
109542	BUTLER MACHINERY CO COUNTY ROAD & BRIDGE FUND	74,121.08 74,121.08
109543	CARD SERVICES COUNTY ROAD & BRIDGE FUND	62.01 62.01
109544	CHAMLEY PIPE & SALVAGE LLC GENERAL CAPITAL PROJECTS	704.16 704.16
109545	CHARM-TEX, INC. GENERAL FUND	22.90 22.90
109546	CIRCLE SANITATION INC GENERAL FUND COUNTY ROAD & BRIDGE FUND COUNTY PARKS FUND	7,170.65 421.75 364.25 6,384.65
109547	CITY OF STANLEY GENERAL FUND WEED CONTROL FUND	2,796.33 2,526.57 269.76
109548	CNH INDUSTRIAL ACCOUNTS COUNTY ROAD & BRIDGE FUND	1,805.67 1,805.67
109549	CORPORATE TRANSLATION SERVICES INC HUMAN SERVICE ZONE	126.76 126.76
109550	COUNTIES PROVIDING TECHNOLOGY GENERAL FUND	4,085.00 4,085.00
109551	CRUMMIE/KAITLYN HUMAN SERVICE ZONE	588.93 588.93
109552	DAKOTA FLUID POWER, INC. COUNTY ROAD & BRIDGE FUND	792.97 792.97
109553	DANKS/COLE COUNTY ROAD & BRIDGE FUND	2,511.00 2,511.00
109554	DUSTBUSTERS, INC. COUNTY ROAD & BRIDGE FUND	414,744.57 414,744.57
109555	EAPC ARCHITECTS ENGINEERS GENERAL CAPITAL PROJECTS	5,539.70 5,539.70
109556	ELECTRO WATCHMAN, INC HUMAN SERVICE ZONE	665.00 665.00
109557	ELECTRONIC COMMUNICATIONS INC	5,799.00

	GENERAL FUND	5,799.00
109558	ENERBASE GENERAL FUND	482.10 482.10
109559	ENVIRONMENTAL SYSTEMS RESEARCH GENERAL FUND COUNTY ROAD & BRIDGE FUND	4,515.00 1,040.00 3,475.00
109560	ESTVOLD/BRUCE COUNTY ROAD & BRIDGE FUND	2,477.00 2,477.00
109561	FARMERS UNION OIL CO-WATFORD CITY HUMAN SERVICE ZONE	244.22 244.22
109562	H.A.THOMPSON & SONS INC GENERAL FUND	690.85 690.85
109563	HAUGEN/PAM HUMAN SERVICE ZONE	29.00 29.00
109564	HERMANSON/NANCY HUMAN SERVICE ZONE	439.75 439.75
109565	HOME OF ECONOMY COUNTY ROAD & BRIDGE FUND	279.90 279.90
109566	INFORMATION TECHNOLOGY DEPT HUMAN SERVICE ZONE	106.58 106.58
109567	JENKINS/HEATHER COUNTY PARKS FUND	1,000.00 1,000.00
109568	JPMORGAN CHASE BANK NA GENERAL FUND COUNTY ROAD & BRIDGE FUND HUMAN SERVICE ZONE COUNTY PARKS FUND COUNTY AGENT FUND WEED CONTROL FUND	20,266.88 2,375.93 585.96 14,994.76 511.55 605.91 1,192.77
109569	JUMP/AMANDA HUMAN SERVICE ZONE	81.00 81.00
109570	K SQUARED ELECTRIC INC GENERAL FUND	1,750.00 1,750.00
109571	KELLER PAVING & LANDSCAPING, INC. COUNTY ROAD & BRIDGE FUND	132,050.00 132,050.00
109572	KINNEY/SHELLY HUMAN SERVICE ZONE	337.83 337.83
109573	KOHLER COMMUNICATIONS INC GENERAL FUND	1,994.50 1,994.50
109574	LANGUAGE LINE SERVICES, INC E 911 EMERGENCY/WIRELESS FUND	10.78 10.78
109575	LARSON TIRE SERVICE HUMAN SERVICE ZONE	608.08 608.08
109576	LIGHT HOUSE TRADES, INC. COUNTY ROAD & BRIDGE FUND	1,018.82 1,018.82
109577	LOMMEN/ORVIN HUMAN SERVICE ZONE	780.00 780.00
109578	LOWE'S GARDEN CENTER & FLORAL	36.05

	GENERAL FUND	36.05
109579	LOWE'S PRINTING INC COUNTY AGENT FUND	528.75 528.75
109580	MAERTENS-BRENNY CONSTRUCTION COMPANY GENERAL CAPITAL PROJECTS	11,153.00 11,153.00
109581	MARTIN CONSTRUCTION INC COUNTY ROAD & BRIDGE CAPITAL PROJECTS	2,464,789.18 2,464,789.18
109582	MCKESSON MEDICAL-SURGICAL GENERAL FUND	125.46 125.46
109583	MEDCALL LLC GENERAL FUND	331.44 331.44
109584	MEIERS OIL INC GENERAL FUND HUMAN SERVICE ZONE	483.24 71.24 412.00
109585	MELL/ERIC HUMAN SERVICE ZONE	44.03 44.03
109586	MENARDS - MINOT COUNTY PARKS FUND	119.47 119.47
109587	METROPOLITAN COMPUNDS INC GENERAL FUND	586.97 586.97
109588	MEYERS/MICHELLE HUMAN SERVICE ZONE	33.00 33.00
109589	MINOT RESTAURANT SUPPLY CO GENERAL FUND	24.85 24.85
109590	MONTANA DAKOTA UTILITIES CO GENERAL FUND	10,820.06 10,820.06
109591	MOUNTRAIL BETHEL HOME GENERAL FUND	15,000,000.00 15,000,000.00
109592	MOUNTRAIL COUNTY FOOD PANTRY HUMAN SERVICE ZONE	688.59 688.59
109593	MOUNTRAIL COUNTY MEDICAL CENTER GENERAL FUND	2,041.80 2,041.80
109594	MOUNTRAIL COUNTY PROMOTER HUMAN SERVICE ZONE	171.13 171.13
109595	MOUNTRAIL WILLIAMS ELECTRIC COOP GENERAL FUND COUNTY ROAD & BRIDGE FUND HUMAN SERVICE ZONE COUNTY PARKS FUND	21,376.24 296.97 188.44 56.95 20,833.88
109596	MPLXIF LLC COUNTY ROAD & BRIDGE FUND	21,000.00 21,000.00
109597	NAPA AUTO PARTS COUNTY ROAD & BRIDGE FUND	66.98 66.98
109598	ND ASSOCIATION OF COUNTIES GENERAL FUND	630.00 630.00
109599	NELSON/AMY HUMAN SERVICE ZONE	1,976.39 1,976.39

109600	NELSON/CAROL HUMAN SERVICE ZONE	96.30 96.30
109601	NORTH AMERICAN TRAILER SALES, LTD COUNTY ROAD & BRIDGE FUND	11,398.12 11,398.12
109602	NORTH DAKOTA CHAPTER OF APCO E 911 EMERGENCY/WIRELESS FUND	180.00 180.00
109603	NORTHSTAR STEEL INC GENERAL CAPITAL PROJECTS	195,094.80 195,094.80
109604	NOVA FIRE PROTECTION, INC. COUNTY ROAD & BRIDGE FUND	375.00 375.00
109605	NUTRIEN AG SOLUTIONS WEED CONTROL FUND	32,140.80 32,140.80
109606	ODP BUSINESS SOLUTIONS LLC GENERAL FUND WEED CONTROL FUND	754.42 506.44 247.98
109607	OGDEN/CRYSTAL HUMAN SERVICE ZONE	960.36 960.36
109608	OLSON-CRAMER/PAIGE HUMAN SERVICE ZONE	22.20 22.20
109609	PENNINGTON/DONALD & KRISTI COUNTY ROAD & BRIDGE FUND	2,500.00 2,500.00
109610	PINNACLE COUNTY ROAD & BRIDGE FUND HUMAN SERVICE ZONE	27,968.96 27,047.13 921.83
109611	PINNACLE-AGRONOMY DEPARTMENT WEED CONTROL FUND	44.98 44.98
109612	PLAZA OK HARDWARE GENERAL FUND COUNTY ROAD & BRIDGE FUND	64.88 54.89 9.99
109613	POMP'S TIRE SERVICE COUNTY ROAD & BRIDGE FUND	9,261.27 9,261.27
109614	PRAIRIE FORD, INC. HUMAN SERVICE ZONE	2,160.70 2,160.70
109615	PREBLE MEDICAL SERVICES INC HUMAN SERVICE ZONE	1,405.00 1,405.00
109616	QUADIENT FINANCE USA INC GENERAL FUND	1,414.00 1,414.00
109617	RAY/SCOTT WEED CONTROL FUND	528.75 528.75
109618	RDO EQUIPMENT CO COUNTY ROAD & BRIDGE FUND	348.25 348.25
109619	RECORD KEEPERS, LLC GENERAL FUND	35.00 35.00
109620	RICHLAND PUMP & SUPPLY COUNTY ROAD & BRIDGE FUND	220.55 220.55
109621	RISMON/JANE COUNTY ROAD & BRIDGE FUND	1,956.00 1,956.00

109622	RTC NETWORKS	856.59
	GENERAL FUND	598.32
	COUNTY ROAD & BRIDGE FUND	190.32
	COUNTY AGENT FUND	27.67
	WEED CONTROL FUND	40.28
109623	RYAN GMC	940.36
	COUNTY ROAD & BRIDGE FUND	940.36
109624	SAFARI FUELS #103	596.08
	GENERAL FUND	596.08
109625	SAUBER ENGINEERING, INC	59,722.64
	COUNTY ROAD & BRIDGE FUND	59,722.64
109626	SECURITY TRANSPORT SERVICES, INC.	3,784.30
	GENERAL FUND	3,784.30
109627	SELECT WATER SOLUTIONS, LLC	1,000.00
	COUNTY ROAD & BRIDGE FUND	1,000.00
109628	SIGN SOLUTIONS USA LLC	165.48
	COUNTY ROAD & BRIDGE FUND	165.48
109629	SRF CONSULTING GROUP, INC	1,932.49
	GENERAL FUND	1,932.49
109630	STANLEY AUTO & TRUCK	405.82
	COUNTY ROAD & BRIDGE FUND	405.82
109631	STANLEY HARDWARE	2,784.94
	GENERAL FUND	1,756.18
	COUNTY ROAD & BRIDGE FUND	691.67
	HUMAN SERVICE ZONE	95.41
	COUNTY PARKS FUND	171.41
	WEED CONTROL FUND	70.27
109632	STANLEY LUMBER & SUPPLY	232.92
	COUNTY ROAD & BRIDGE FUND	232.92
109633	STEINS INC	1,744.18
	GENERAL FUND	1,744.18
109634	STREAMLINE WATER SERVICES	1,000.00
	COUNTY ROAD & BRIDGE FUND	1,000.00
109635	SUMMIT FOOD SERVICE, LLC	12,263.47
	GENERAL FUND	12,263.47
109636	THE RAMONA LACY FARMS GEN. PARTNERSHIP	4,879.00
	COUNTY ROAD & BRIDGE FUND	4,879.00
109637	THE SIDWELL COMPANY	960.00
	GENERAL FUND	960.00
109638	TOMLINSON/HEATHER	142.93
	COUNTY AGENT FUND	142.93
109639	TRACTOR SUPPLY COMPANY	284.37
	COUNTY PARKS FUND	264.38
	WEED CONTROL FUND	19.99
109640	TYLER TECHNOLOGIES, INC	4,200.00
	GENERAL FUND	4,200.00
109641	ULINE	2,758.80
	GENERAL FUND	2,758.80
109642	UNITED AGRONOMY, LLC	241.55

	COUNTY PARKS FUND	241.55
109643	UNITED QUALITY COOPERATIVE COUNTY ROAD & BRIDGE FUND	467.30 467.30
109644	URAN/SAM COUNTY ROAD & BRIDGE FUND	2,383.00 2,383.00
109645	VACHAL/LYNNETTE COUNTY AGENT FUND	1,670.24 1,670.24
109646	VACHAL/MELISSA GENERAL FUND	437.40 437.40
109647	VERIZON WIRELESS GENERAL FUND COUNTY ROAD & BRIDGE FUND E 911 EMERGENCY/WIRELESS FUND WEED CONTROL FUND	1,567.00 147.37 302.22 1,059.24 58.17
109648	VESTIS GENERAL FUND COUNTY ROAD & BRIDGE FUND	1,326.80 959.68 367.12
109649	WARD COUNTY AUDITOR COUNTY LIBRARY-BOOKMOBILE FUND	3,360.00 3,360.00
109650	WESTLIE TRUCK CENTER COUNTY ROAD & BRIDGE FUND	9,238.71 9,238.71
109651	WM. D. SCEPANIAC, INC COUNTY ROAD & BRIDGE CAPITAL PROJECTS	305,759.69 305,759.69
109652	WOLDING/CAMERON COUNTY ROAD & BRIDGE FUND	3,077.00 3,077.00
109653	WOLDING/LYON COUNTY ROAD & BRIDGE FUND	600.00 600.00
109654	WOLDING/TIMOTHY COUNTY ROAD & BRIDGE FUND	2,526.00 2,526.00
	<b>TOTAL</b>	<b>\$20,294,165.33</b>

J. BOARD CONCERNS

Comm. Hollekim stated that August 12<sup>th</sup> is the walk through for the Memorial Building. Comm. Hollekim also stated that the Upper Missouri District Health Unit now is responsible for the Covid tests so if any dollars are left in the American Rescue Plan Act (ARPA) funds she recommended allocating some funding to UMDHU.

3. APPOINTMENT SCHEDULED

9:15 A.M.

Lori Hanson, Tax Director met to discuss an abatement and the Eagleview Pictometry Contract. The Eagleview Pictometry Contract will be looked at the next Commissioner meeting.

Moved by Comm. Hollekim, seconded by Comm. Olson, to approve the abatement on parcel #57-1000700 for tax year 2024 due to mobile home being removed as per the recommendation of Tax Director Hanson. Upon roll call, DeGroot, Ruland, Rice, Olson and Hollekim voted yes. Motion carried.

9:20 A.M.

Karen Davies, Deputy Treasurer met with the board to discuss the renewal of eight Certificate of Deposits (CD's).

Moved by Comm. DeGroot, seconded by Comm. Rice, to approve the renewal of eight Certificate of Deposits (CD's), three for \$5 million; one for \$10 million; one for \$3,821,552.87 for 6 months at Cornerstone Bank; one



for \$5 million and two for \$10 million for 12-months at Bravera Bank. Upon roll call, Ruland, Hollekim, DeGroot, Olson and Rice voted yes. Motion carried.

9:30 A.M.

Joan Mann & Adrian Foote discussed the Coroner duties of Corey Bristol, Sheriff. The family was not satisfied with Sheriff Bristol with the handling and removal of their deceased family member. State's Attorney, Wade Enget discussed the N.D.C.C 11-19.1 Coroner appointment and responsibilities. Adrian Foote wanted to see if the funeral home would qualify as a Coroner. State's Attorney Enget stated per the eligibility requirements in N.D.C.C. 11-19.1-04 section 1, subsection D they would be eligible. Comm. Hollekim discussed the letter received from Justina Langhans which stated "It was once common for the funeral director to act as the coroner; we do not want the responsibility or liability that comes with acting as a corner (handling the funeral and determining the cause of death)."

Comm. DeGroot met privately with the family of Joan Mann & Adrian Foote.

9:50 A.M.

Charlie Sorenson and Lacey Jemtrud with the Stanley Ambulance met to request funding for a new ambulance.

Moved by Comm. Hollekim, seconded by Comm. DeGroot, to approve the purchase of a new ambulance for the Stanley Ambulance totaling \$355,935 pending a trade in value out of the Fire & Ambulance Fund. Upon roll call, DeGroot, Ruland, Rice, Olson and Hollekim voted yes. Motion carried.

10:00 A.M.

Roger Gjellstad met with the board to discuss the Carquest Building contract. The contract states that the county would pay \$7,350 for tearing down the partitions. Roger Gjellstad stated that this would be pending the selling of the building on whether the walls stay up per the buyer recommendation. Roger Gjellstad thanked the County for renting the building.

10:10 A.M.

Lynnette Vachal, Extension Agent met with the board to get approval of out of state travel Sept 21<sup>st</sup> thru the 27<sup>th</sup> to Custer, SD & Boise, ID from October 15-17<sup>th</sup>.

Moved by Comm. Olson, seconded by Comm. Rice, to approve the out of state travel to teach at the Black Hills Recreation Leaders Lab for Lynnette Vachal to Custer, SD during September 21-27, 2024. Upon roll call, Olson, Ruland, Rice and Hollekim voted yes and DeGroot was absent. Motion carried.

Moved by Comm. Olson, seconded by Comm. Hollekim, to approve the out of state travel to attend the NAE4-HYDP Annual Conference for Lynnette Vachal to Boise, Idaho during October 15-17, 2024. Upon roll call, Ruland, Rice, Olson and Hollekim voted yes and DeGroot was absent. Motion carried.

10:15 A.M.

The next item on the agenda is the pending litigation in the matter entitled Franklin D. Martens and Rosemary Martens and Gary Martens and Steven Martens, Durable Power of Attorney for Franklin D. Martens and Rosemary Martens v. Mountrail County. This item may be discussed in an executive session. The legal authority for closing this portion of the meeting is North Dakota Code section(s) 44-04-19.1(5). The topic or purpose of this executive session is to discuss negotiation strategies for possible settlement of all claims regarding the pending litigation.

At this time, a motion would in order to discuss the next topic in executive session rather than in an open meeting.

Moved by Comm. Hollekim, seconded by Comm. Rice, to approve to enter into executive session and close the open meeting. Upon roll call, Hollekim, Ruland, Rice, Olson voted yes and DeGroot was absent. Motion carried.

The executive session will be recorded and all members of the governing body are reminded to limit their discussion during the executive session to the announced topic. Any collective decision, collective commitment or other final action by the governing body must occur after it reconvenes in an open meeting, unless final action is specifically required by law to be taken during the executive session.

The prohibition on taking final action during the executive session does not apply to providing guidance or instruction to our attorneys or negotiator.

We will now ask the members of the public who are attending the meeting to leave the room. We anticipate adjourning the executive session, and reconvening the open portion of the meeting, at approximately 10:30 a.m. on August 6, 2024.

The minutes will show the executive session began at 10:17 a.m. on August 6<sup>th</sup>, 2024 and was attended by Commissioners Ruland, Rice, Olson, Hollekim and DeGroot. Also attending are State's Attorney Wade G. Enget, Brian Schmidt, Attorney for Mountrail County and Auditor Stephanie A. Pappa.

The minutes will show that the executive session was adjourned at 10:34 a.m. on August 6, 2024. The public has been invited to return to the meeting room and we are now back in open session.

10:30 A.M.

Scott Duerre, Road & Bridge (R&B) Superintendent met to discuss Road & Bridge.

#### 1. COTTONWOOD BRIDGE BID OPENING RESULTS- BID OPENING RESULTS

Superintendent Duerre presented the Cottonwood Bridge bidding results with only one bidder. The bid was high in comparison to the engineer's estimate. John Sauber, Engineer recommended rebidding the project this fall.

Moved by Comm. Hollekim, seconded by Comm. Olson, to deny the bid with Central Specialties for the Cottonwood Bridge No. 31-114-08.0 and approve to rebid this fall. Upon roll call, Olson, Hollekim, Ruland, Rice and DeGroot voted yes. Motion carried.

#### 2. CR6 RECONSTRUCTION PROJECT

Superintendent Duerre along with Matthew Huettl, HDR Engineering spoke on the liquidated damages options for CR6 Project from White Earth City west to the Williams County Line. Also present were Jon Skjoldal with HDR, Harley Neshem and Terry Burke with Gratech, LLC. Harley Neshem is recommending no liquidated damages on this project. The different options for the liquidated damages is as follows: Option 1: Assess liquidated damage from substantial completion date so 251 days X \$3,300 calendar days at \$828,300; Option 2: Assess liquidated damages from spring start date when conditions allowed construction so 85 days X \$3,300 calendar day at \$280,500; Option 3: Assess liquidated damages from original final completion date to actual final completion date so 60 days x \$3,300 calendar days at \$198,000; Option 4: Do not assess liquidated damages on the project. Discussion was held on the coordination of moving back after the flagging with BNSF. This was an expense taken on by Gratech, LLC. Engineer Huettl stated the additional timeline has also occurred additional engineering fees for the project but it was within the contract amount for HDR Engineering. Comm. Rice discussed the one lift on the paving and if for any reason there would be issues in 5 years if Gratech, LLC would warranty the work. Harley Neshem stated there should be no issues regarding the paving for the lift.

Moved by Comm. DeGroot, seconded by Comm. Hollekim, to approve option #4 with no assessing of liquidated damages on the project to Gratech, LLC. on CR 6 Reconstruction Project. Upon roll call, Rice, Olson, Hollekim, DeGroot and Ruland voted yes. Motion carried.

#### 3. 36<sup>th</sup> ST NW RECONSTRUCTION PROJECT

Superintendent Duerre presented the certificate of insurance and the notice to proceed with Sauber Engineering for 36<sup>th</sup> St NW Reconstruction Project.

Moved by Comm. Olson, seconded by Comm. Rice, to approve and sign the agreement between owner and contractor for the construction of 36<sup>th</sup> St NW Reconstruction Project. Upon roll call, Rice, Olson, Hollekim, DeGroot and Ruland voted yes. Motion carried.

Moved by Comm. Hollekim, seconded by Comm. Olson, to approve and sign the notice to proceed with Jensen Brothers Construction, Inc. for 36<sup>th</sup> St NW Reconstruction Project. Upon roll call, Ruland, DeGroot, Olson, Hollekim and Rice voted yes. Motion carried.

#### 4. CR 3 PALERMO N PROJECT-WM D. SPECANIAK INC

Moved by Comm. Olson, seconded by Comm. DeGroot, to approve the balancing change order #2 for a decrease totaling \$37,693.84 to the contract with Wm. D Scepaniak Inc. for CR 3 Palermo N Project. Upon roll call, Ruland, Rice, DeGroot, Olson and Hollekim voted yes. Motion carried.

Moved by Comm. Rice, seconded by Comm. Olson, to approve the final pay estimate to Wm. D. Scepaniak Inc totaling \$305,759.69 for CR 3 Palermo N Project. Upon roll call, Olson, Hollekim, DeGroot, Rice and Ruland voted yes. Motion carried.

5. SALT & SAND STORAGE PAD

Superintendent Duerre presented to the board quotes for a salt & sand storage pad along Highway 2 and 101<sup>st</sup> Ave NW. The board requested the Procurement Policy to be followed for invitation bids on this project. The project should also not move forward until the section line closure proceedings are complete unless the storage pad does not obstruct the section line. More discussion will be held on relocating the pad within the property in order to move forward with the project.

6. GRAVEL CRUSHING AGREEMENT-LEE PIT

Discussion was held on the concerns with Spring Coulee Township and hauling on their roads.

Moved by Comm. Olson, seconded by Comm. Rice, to approve signing the gravel crushing agreement with Sundre Sand & Gravel for Carey Lee located in the E1/2W1/2, Section 18, Township 153 North, Range 87 West. Upon roll call, Hollekim, DeGroot, Olson, Ruland and Rice voted yes. Motion carried.

7. NEW MOWER-QUOTE

Moved by Comm. Olson, seconded by Comm. DeGroot, to approve the purchase of a new Degelman rotary mower from Gooseneck totaling \$60,000 with trade in. Upon roll call, Rice, Ruland, DeGroot, Olson and Hollekim voted yes. Motion carried.

8. DISCUSSION ON MOWING & HAY BALES

Superintendent Duerre discussed the mowing of ditches and the hay bales and the issues with the liability of bales and water hoses etc. in the right of way. Comm. Olson discussed the issues with grass being mowed over once the hay was laying and the moving of hay bales within the ditches.

12:00 P.M.

Stephanie A. Pappa, Auditor discussed the recommendations of the Human Resource Advisory Committee (HRAC) held on July 30<sup>th</sup>.

Moved by Comm. Rice, seconded by Comm. DeGroot, to approve the banding/grading change for Val Stammen from a B22 to a B23. Upon roll call, Rice, Olson, Hollekim, DeGroot and Ruland voted yes. Motion carried.

Discussion was held on the salary recommendation for the 2025 budgets. The HRAC recommended to the board a \$3,000 increase with an increase of the banding/grading chart of .25% for years 11 to 20 years.

12:10 P.M.

Stephanie A. Pappa, Auditor reviewed the 2025 budgets.

Moved by Comm. Rice, seconded by Comm. DeGroot, to approve the Preliminary County 2025 budget totaling \$143,858,064. Upon roll call, Ruland, Rice, Olson, DeGroot and Hollekim voted yes. Motion carried.

4. ADJOURN

The Board adjourned at 1:22 P.M. to meet in regular session on Tuesday, August 20, 2024 at 9:00 A.M. Accepted and approved this 20<sup>th</sup> day of August, 2024.

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Trudy Ruland, Chairman

Mountrail County Commissioner

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Stephanie A. Pappa

Mountrail County Auditor