

Proceedings of the Mountrail County Commissioners

1. OPENING & ROLL CALL

The Board met in regular session on Tuesday, May 16, 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. DeGroot, 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. Hollekim, seconded by Comm. Rice, to approve the minutes of the May 2, 2023 meeting as corrected. Upon roll call, all present voted yes. Motion carried.

C. FEES

Moved by Comm. Olson, seconded by Comm. Hollekim, to approve the April fees for the Correctional Facility, Clerk of Court and Sheriff’s Office. Upon roll call, Olson, Hollekim, Ruland, DeGroot and Rice voted yes. Motion carried.

D. PAYROLL

Moved by Comm. DeGroot, seconded by Comm. Olson, to approve the regular full-time employee classification for Natalie Heydt with the Sheriff as Courthouse Security in the amount of \$3,862.50 per month/\$46,350 per year. Upon roll call, Ruland, Hollekim, Olson, DeGroot and Rice voted yes. Motion carried.

Moved by Comm. Hollekim, seconded by Comm. Olson, to approve the sick/vacation leave for appointed officials from 3/12/2023 to 4/15/2023. Upon roll call, Rice, Olson, DeGroot, Ruland and Hollekim voted yes. Motion carried.

Moved by Comm. Olson, seconded by Comm. Rice, to approve the request for leave without pay for Raven Fallin from 5-4-2023 to 6-16-2023. Upon roll call, Ruland, Hollekim, Olson, Rice and DeGroot voted yes. Motion carried.

E. TRANSFER

Moved by Comm. Rice, seconded by Comm. Hollekim, to approve the transfer for payment from the wrong account for warrants #104383, #104423, #104426, #104428 & #104462 from the 2019 Flood Disaster Fund to 2014 Flood Disaster Fund totaling \$5,549.87. Upon roll call, DeGroot, Hollekim, Olson, Ruland and Rice voted yes. Motion carried.

F. MEMORANDUM OF UNDERSTANDING

Moved by Comm. DeGroot, seconded by Comm. Olson, to approve signing the Memorandum of Understanding with the Three Affiliated Tribes Gerald Tex Fox Justice Center (GFTJC) for the purpose of housing pretrial detainees and offenders, beginning 4-1-2023 through 3-31-2024. Upon roll call, Olson, Ruland, Rice, DeGroot and Hollekim voted yes. Motion carried.

G. GAMING SITE

Moved by Comm. Olson, seconded by Comm. Rice, to approve the gaming site authorization from the Veterans Club of Kenmare, Inc for The Riv. Upon roll call, Ruland, Rice, Hollekim, Olson and DeGroot voted yes. Motion carried.

H. DISCRIMINATION

Wade Enget, State’s Attorney discussed the letter received from ND Labor and Human Rights naming Mountrail County as the Respondent in the Charge of Discrimination filed by Russel Klimpel. The two options are a) to participate in mediation or b) an investigation.

Moved by Comm. DeGroot, seconded by Comm. Hollekim, to approve going with option b to decline mediation for the discrimination charge and proceed with an investigation for Klimpel V Mountrail County, ND# NDE-37164/EEOC# 32F-2023-00077. Upon roll call, all present voted yes. Motion carried.

I. BILLS

Moved by Comm. Olson, seconded by Comm. DeGroot, to approve the bills totaling \$353,669.41. Upon roll call, Olson, Ruland, Hollekim, Rice and DeGroot 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 under the County Commissioner heading and/or are available for review in the Auditor’s Office during normal business hours).

APPROVED 05/16/2023 - PAYMENT 05/16/2023

<u>Warrant #</u>	<u>Vendor Name</u>	<u>Warrant Total</u>
106629	A&W TOWING & RECOVERY, INC. GENERAL FUND	250.00 250.00
106630	ACKERMAN-ESTVOLD ENGINEERING & MANAGEMEN COUNTY ROAD & BRIDGE FUND	10,435.00 10,435.00
106631	ACME TOOLS COUNTY PARKS FUND WEED CONTROL FUND	13,148.22 9,695.00 3,453.22
106632	ADVANCED BUSINESS METHODS GENERAL FUND	259.78 259.78
106633	ANDERSON/BOYD & CONNIE COUNTY ROAD & BRIDGE FUND	22.50 22.50
106634	ARAMARK UNIFORM SERVICES GENERAL FUND COUNTY ROAD & BRIDGE FUND	901.90 657.72 244.18
106635	ARMOR INTERACTIVE GENERAL FUND	21,733.02 21,733.02
106636	BAKLENKOE/DEBORAH COUNTY ROAD & BRIDGE FUND	352.50 352.50
106637	BELIK/SHANNON COUNTY ROAD & BRIDGE CAPITAL PROJECTS	2,859.93 2,859.93
106638	BLIND ALLEY GENERAL FUND	5,316.00 5,316.00
106639	BOOM CONCRETE, INC.-SO. DAKOTA COUNTY PARKS FUND	13,012.00 13,012.00
106640	BRAAFLAT/CRAIG & JOY COUNTY ROAD & BRIDGE FUND	462.00 462.00
106641	BRAAFLAT/JORDAN COUNTY ROAD & BRIDGE FUND	306.00 306.00
106642	BRANDVOLD/JOHN COUNTY ROAD & BRIDGE FUND	741.00 741.00
106643	BUTLER MACHINERY CO COUNTY ROAD & BRIDGE FUND	22.96 22.96
106644	CITY OF STANLEY GENERAL FUND	1,098.85 1,098.85

106645	CNH INDUSTRIAL ACCOUNTS COUNTY ROAD & BRIDGE FUND	1,407.46 1,407.46
106646	COUNTIES PROVIDING TECHNOLOGY GENERAL FUND	3,920.00 3,920.00
106647	DAKOTA DRUG CO GENERAL FUND	375.30 375.30
106648	DAKOTA DUST-TEX, INC GENERAL FUND	269.30 269.30
106649	DAKOTA FIRE EXTINGUISHERS, INC. COUNTY PARKS FUND	212.49 212.49
106650	DANNEWITZ/DALE DAVID COUNTY ROAD & BRIDGE FUND	27.00 27.00
106651	ENERBASE GENERAL FUND COUNTY ROAD & BRIDGE FUND	11,942.73 1,106.47 10,836.26
106652	ENGET/WADE GENERAL FUND	137.50 137.50
106653	FRETHEIM/VERNA COUNTY ROAD & BRIDGE CAPITAL PROJECTS	6.50 6.50
106654	FRINK/VIRGIL COUNTY ROAD & BRIDGE FUND	360.00 360.00
106655	GALLS-QUARTERMASTER GENERAL FUND	575.09 575.09
106656	GARNAS/ROBIN R COUNTY ROAD & BRIDGE FUND	357.00 357.00
106657	GLORIA J. HOFF REVOCABLE TRUST COUNTY ROAD & BRIDGE FUND	8,975.68 8,975.68
106658	GREAT PLAINS DIRECTORY SERVICE WEED CONTROL FUND	295.00 295.00
106659	GUERRERO/JOSE T GENERAL FUND	6,500.00 6,500.00
106660	HAFEN/YOLANDA GENERAL FUND	1,000.00 1,000.00
106661	HARSTAD LIMITED PARTNERSHIP LLLP COUNTY ROAD & BRIDGE FUND	1,560.00 1,560.00
106662	HARSTAD/JAYDEN COUNTY ROAD & BRIDGE FUND	84.00 84.00
106663	HARSTAD/JEROME A COUNTY ROAD & BRIDGE FUND	1,116.00 1,116.00
106664	HR COLLABORATIVE GENERAL FUND	50.00 50.00
106665	INFORMATION TECHNOLOGY DEPT GENERAL FUND E 911 EMERGENCY/WIRELESS FUND	7,016.88 3,576.34 3,440.54
106666	IVERSON/RENA B. COUNTY ROAD & BRIDGE FUND	79.50 79.50

106667	KAYE GUDBRANSON LIVING TRUST COUNTY ROAD & BRIDGE FUND	352.50 352.50
106668	KRONOS SAASHR INC GENERAL FUND	694.93 694.93
106669	LANGUAGE LINE SERVICES, INC E 911 EMERGENCY/WIRELESS FUND	10.78 10.78
106670	LESTER/SCOTT W. COUNTY ROAD & BRIDGE FUND	738.00 738.00
106671	LOMMEN/ORVIN GENERAL FUND	110.00 110.00
106672	LYNNE/ARDELL G COUNTY ROAD & BRIDGE FUND	501.00 501.00
106673	LYNNE/RONALD E COUNTY ROAD & BRIDGE FUND	501.00 501.00
106674	MAYER ELECTRIC GENERAL FUND	12,552.30 12,552.30
106675	MENARDS - MINOT COUNTY PARKS FUND	2,052.69 2,052.69
106676	MOBERG/CAROL COUNTY ROAD & BRIDGE FUND	8,975.66 8,975.66
106677	MOUNTRAIL SOIL CONSERVATION WEED CONTROL FUND	156.00 156.00
106678	ND ASSOCIATION OF COUNTIES E 911 EMERGENCY/WIRELESS FUND	1,841.14 1,841.14
106679	ND ASSOCIATION OF COUNTIES GENERAL FUND	2,853.35 2,853.35
106680	NEW TOWN CITY COUNTY ROAD & BRIDGE FUND	52.00 52.00
106681	NORTH AMERICAN TRAILER SALES, LTD COUNTY ROAD & BRIDGE FUND	1,485.88 1,485.88
106682	NORTH PRAIRIE RURAL WATER DISTRICT COUNTY ROAD & BRIDGE FUND	57.46 57.46
106683	NORTHWEST COMMUNICATIONS COOP E 911 EMERGENCY/WIRELESS FUND	129.00 129.00
106684	O'REILLY AUTO PARTS WEED CONTROL FUND	33.43 33.43
106685	ODP BUSINESS SOLUTIONS LLC GENERAL FUND COUNTY ROAD & BRIDGE FUND COUNTY AGENT FUND WEED CONTROL FUND	2,069.04 1,095.24 730.57 50.09 193.14
106686	OTTER TAIL POWER COMPANY GENERAL FUND	1,352.37 1,352.37
106687	PATTEN/ROBERT R COUNTY ROAD & BRIDGE FUND	360.00 360.00
106688	PICTOMETRY INTERNATIONAL CORP. GENERAL FUND	83,632.50 83,632.50

106689	PINNACLE GENERAL FUND COUNTY ROAD & BRIDGE FUND	22,841.04 3,029.77 19,811.27
106690	PINNACLE-AGRONOMY DEPARTMENT GENERAL FUND	273.00 273.00
106691	PORTH/THOMAS GENERAL FUND	70.00 70.00
106692	POWERS LAKE RURAL AMBULANCE DIST CO. HAZARDOUS CHEMICAL ACCOUNT FUND	4,495.22 4,495.22
106693	PROGRAMMING BROADCASTING, INC GENERAL FUND	1,995.00 1,995.00
106694	PURCHASE POWER GENERAL FUND	1,513.50 1,513.50
106695	QUADIENT FINANCE USA INC GENERAL FUND	23.33 23.33
106696	QUADIENT LEASING GENERAL FUND	699.24 699.24
106697	QUADIENT, INC GENERAL FUND	126.00 126.00
106698	R & T WATER DISTRICT COUNTY PARKS FUND	50.00 50.00
106699	RDO EQUIPMENT CO COUNTY ROAD & BRIDGE FUND	2,039.32 2,039.32
106700	RECORD KEEPERS, LLC GENERAL FUND	17.50 17.50
106701	RICE/VAN COUNTY ROAD & BRIDGE FUND	30.00 30.00
106702	RICHLAND PUMP & SUPPLY COUNTY ROAD & BRIDGE FUND	98.94 98.94
106703	RTC NETWORKS GENERAL FUND COUNTY PARKS FUND	4,678.57 4,313.30 365.27
106704	RUDOLPH ELECTRIC, LLC GENERAL FUND	1,778.04 1,778.04
106705	RUUD/RICHARD A COUNTY ROAD & BRIDGE FUND	357.00 357.00
106706	SAFARI FUELS #103 GENERAL FUND	705.87 705.87
106707	SHOP 4-H NATIONAL 4-H COUNCIL COUNTY AGENT FUND	48.70 48.70
106708	SIDWELL, HARRIS LOCAL GOVERNMENT GENERAL FUND	480.00 480.00
106709	SKAAR/TERA GENERAL FUND	193.75 193.75
106710	SOURIS RIVER TELECOMMUNICATIONS E 911 EMERGENCY/WIRELESS FUND	168.00 168.00
106711	STANLEY AUTO & TRUCK	557.99

	GENERAL FUND	70.21
	COUNTY ROAD & BRIDGE FUND	487.78
106712	STANLEY HARDWARE	801.55
	GENERAL FUND	664.66
	COUNTY ROAD & BRIDGE FUND	136.89
106713	STANLEY LUMBER & SUPPLY	2.72
	GENERAL FUND	2.72
106714	STANLEY PROFESSIONAL BUILDING	650.00
	VETERAN'S SERVICE OFFICER FUND	650.00
106715	STAPLES, INC. AND SUBSIDIARIES	308.16
	COUNTY ROAD & BRIDGE FUND	308.16
106716	STATE TREASURER	6,460.00
	E 911 EMERGENCY/WIRELESS FUND	6,460.00
106717	STROMSTAD/PEGGY	2.50
	COUNTY ROAD & BRIDGE CAPITAL PROJECTS	2.50
106718	SUMMIT FOOD SERVICE, LLC	6,022.59
	GENERAL FUND	6,022.59
106719	TCNURSERY	625.00
	COUNTY ROAD & BRIDGE FUND	625.00
106720	THOMSON REUTERS-WEST PUBLISHING CORP.	189.62
	GENERAL FUND	189.62
106721	TOMLINSON/HEATHER	231.88
	COUNTY AGENT FUND	231.88
106722	TRACTOR SUPPLY COMPANY	527.11
	COUNTY ROAD & BRIDGE FUND	499.90
	COUNTY PARKS FUND	27.21
106723	TYLER TECHNOLOGIES, INC	32,352.25
	GENERAL FUND	32,352.25
106724	UNITED QUALITY COOPERATIVE	3,654.18
	GENERAL FUND	2,333.29
	COUNTY ROAD & BRIDGE FUND	974.43
	COUNTY PARKS FUND	346.46
106725	WARNE CHEMICAL & EQUIP CO	9,488.20
	WEED CONTROL FUND	9,488.20
106726	WAYNE C. STUBSTAD LIVING TRUST	33.00
	COUNTY ROAD & BRIDGE FUND	33.00
106727	WESTGARD FARMS	360.00
	COUNTY ROAD & BRIDGE FUND	360.00
106728	WESTLIE TRUCK CENTER	536.52
	COUNTY ROAD & BRIDGE FUND	536.52
106729	WILBUR-ELLIS COMPANY	1,508.34
	COUNTY PARKS FUND	1,508.34
106730	WRIGHT/JOYCE	8,975.66
	COUNTY ROAD & BRIDGE FUND	8,975.66
	FINAL TOTAL	\$ 353,669.41

J. BANKRUPTCY

Wade Enget, State's Attorney discussed the email received concerning the Endo Bankruptcy for the Opioid

settlement and will reach out to make sure no other paperwork is needed in fulfilling the claim.

K. JAIL FACILITY FOR THE INSPECTION REPORT

Laurie Johnson, Correctional Administrator discussed the inspection report for the jail facility.

3. APPOINTMENT SCHEDULED

9:15 A.M.

Lynnette Vachal, Extension Agent discussed the possibility of stipend pay as a part time employee or being paid under a contract for work performed for the County.

The Board agreed to approve paying Lynnette Vachal as a part-time employee as an Adult Advocate under 20 hours per week.

9:30 A.M

Chairman Ruland opened the 9:30 A.M. public hearing for the purpose of receiving comments on an amendment to zoning request filed by Patricia Marx, to rezone a tract of land from Agricultural to Recreational for the purpose of bringing the property into compliance as a seasonal campground for family use on a tract of land 15 acres more or less located in Outlot 2 of the E½SW¼ & SE¼ of Section 6, Township 154 North, Range 91 West **(Sikes Township)**.

Melissa Vachal, Planning & Zoning Administrator, presented the information from the April 24, 2023 Planning & Zoning Commission recommending to the Mountrail County Commissioners to approve the zoning request filed by Patricia Marx.

Moved by Comm. Hollekim, seconded by Comm. Rice, to approve the zoning request filed by Patricia Marx for an amendment to change land zoned Agricultural to Recreational for the purpose of bringing the property into compliance as a seasonal campground for family use on a tract of land 15 acres, more or less, located in Outlot 2 of the E½SW¼ & SE¼ of Section 6, Township 154 North, Range 91 West **(Sikes Township)** as Patricia Marx has met all criteria as set forth in the Mountrail County Land Development Code and is further contingent upon Patricia Marx complying with all other terms and conditions of the Mountrail County Land Development Code. Upon roll call, all present voted yes. Motion carried.

9:40 A.M.

Nichole Degenstein, Human Resource Director met with the board to discuss the six-month probationary evaluation process for Tammy Leupp, Building Supervisor.

Comm. Hollekim and Comm. Rice will conduct the six-month evaluation for Tammy Leupp, Building Supervisor.

9:45 A.M.

Lori Hanson, Tax Director discussed the abatement on parcel #32-9000500 for the 2019 through 2023 years.

Moved by Comm. Olson, seconded by Comm. DeGroot, to approve the abatement on parcel #32-9000500 for the 2019 through 2023 years due to the mobile home being removed as per the recommendation of Tax Director Hanson. Upon roll call, Rice, Hollekim, DeGroot, Olson and Ruland voted yes. Motion carried.

9:50 A.M.

Tammy Leupp, Building Supervisor met with the board to discuss the floor at the South Complex and the Memorial Building update.

Moved by Comm. DeGroot, seconded by Comm. Olson, to approve moving forward with the installation of the full flake epoxy flooring with urethane topcoat from Diversified Coatings, Inc. totaling \$52,452. Upon roll call, Rice, Olson, DeGroot, Ruland and Hollekim voted yes. Motion carried.

Discussion was held on the Memorial Building outside bricks where one side would need to be stained in order to look the same.

Moved by Comm. DeGroot, seconded by Comm. Rice, to approve moving forward with a change order to stain the bricks on the south side of the Memorial Building at an estimated cost of \$33,000-\$45,000. Upon roll call, Ruland, Olson, Hollekim, Rice and DeGroot voted yes. Motion carried.

10:00 A.M.

Jana Hennessy Engineer met to discuss Road & Bridge.

1. 2023 FROST LAW

Engineer Hennessy stated the 2023 frost law was lifted on May 15, 2023.

2. 74th AVE NW

Engineer Hennessy discussed the letter received from Liberty Resources Management Company LLC to make repairs to CR 4, 74th Ave NW from County Route 7 west to the Williams County line following the drilling and completion operation. Liberty Resources agreed to assist in road repairs, not exceeding \$250,000, in exchange for lifting road restrictions and being able to travel at 105,000# by legal weight.

Engineer Hennessy stated Williams County will be paving their portion of 74th Ave NW.

3. CR 9 PHASE II

Chris Meiers with Mountrail Williams Electric Cooperative (MWEC) discussed the Phase II utility relocation for CR 9 and updated the board on all the rest of the projects around the county.

Moved by Comm. DeGroot, seconded by Comm. Olson, to approve signing the utility relocation for MWEC for CR 9 Phase II totaling \$387,000 not to exceed \$580,000. Upon roll call, Rice, Olson, Hollekim, Ruland and DeGroot. Motion carried.

4. 36th ST NW

Engineer Hennessy discussed the joint township meeting minutes for 36th St NW. Wade Enget, State's Attorney discussed how the Joint Powers Agreement would be drafted.

The Joint Powers Agreement will include Big Bend, Howie, Osborn and Unorganized 152 North, Range 93 West Townships for 36th ST NW. The terms will include payback in full within two years for Big Bend, Howie and Osborn Townships, withholding for payment if needed from flood aid and/or overweight permitting and all future maintenance will be incurred by the Townships.

5. 41st ST NW

Moved by Comm. Hollekim, seconded by Comm. Olson, to approve signing the construction contract agreement between owner and contractor, Mayo Construction, for the 41st St NW Reconstruction Project #UO(41)22 from ND #1804 west to Bluebird Drive. Upon roll call, Rice, Olson, DeGroot, Hollekim and Ruland voted yes. Motion carried.

Discussion was held on the payment and a portion will be paid for 41st St NW out of Unorganized 152 North, Range 93 West Fund. Project expenses will be paid from the County Road & Bridge Fund and a transfer will be made when the Board determines the amount to be funded from the Unorganized 152-93 Fund.

6. 2023 CHIP SEAL PROJECT-JOB 23868; SC-3100(023)

Moved by Comm. DeGroot, seconded by Comm. Rice, to approve signing the County Federal Aid Contract Bond for Asphalt Surface Technologies Corporation for 2023 Chip Seal Project Job 23868, SC-3100(023) in the amount of \$3,424,626.27. Upon roll call, Rice, Olson, DeGroot, Hollekim and Ruland voted yes. Motion carried.

7. GRAVEL CRUSHING AGREEMENT

Moved by Comm. Rice, seconded by Comm. Olson, to approve signing the agreement to crush and purchase stockpiled aggregate with Aggregate Construction for Lee Pit located in the SE¼ of Section 18, Township 153 North, Range 87 West. Upon roll call, Rice, DeGroot, Hollekim, Ruland and Olson voted yes. Motion carried.

Moved by Comm. Olson, seconded by Comm. DeGroot, to approve signing the agreement to crush and purchase stockpiled aggregate with Farden Construction for Big Butte located in the SW¼NW¼ of Section 2, Township 157 North, Range 94 West. Upon roll call, Hollekim, Ruland, DeGroot, Olson voted yes and Rice abstained from voting. Motion carried.

8. NDDOT LETTER-CR 13

Discussion was held on CR 13 NDDOT letter requesting a meeting and whether to keep moving forward with approving the truck reliever route.

9. NDDOT LETTER-SANISH HILL

Engineer Hennessy discussed the letter received from the NDDOT concerning the Sanish Hill. NDDOT will be informed that no further information has been received for the project since last submitted.

10. CR 10-UPDATE ON MEETING WITH WARD COUNTY

Engineer Hennessy discussed the meeting with Ward County and the future plans for CR 10 which construction would take several years.

11. NORTH SEGMENT & MOUNTRAIL COUNTY MEETING

Engineer Hennessy stated a meeting will be held with the North Segment on 5-22-23 at 1:30 p.m.

4. ADJOURN

The Board adjourned at 11:48 A.M. to meet in regular on Tuesday, June 6, 2023 at 9:00 A.M. Accepted and approved this 6th day of June, 2023.

Trudy Ruland, Chairman

Mountrail County Commissioner

Stephanie A. Pappa

Mountrail County Auditor