

**Mercer County Commission Minutes
April 17, 2024**

The meeting was called to order at 9:00 a.m. by Chairman Gene Wolf with the meeting being videotaped. Present were Commissioners Travis Frey, Rick Bauman, Jamee Folk, Liza Taylor, Dan Arens with the Hazen Star, and Deputy Auditor Gwyn Bosch. Others present during portions of the meeting were Dawn Grannis, Ken Miller, Kent Roth, Heidi Hamelton, Darren Hellman with Coteau Properties, Troy Matthieson with Strata, Sarah Montone with Next Era Energy/Oliver Wind IV, and Jack Schwab.

Pledge of allegiance was said.

Bauman moved to approve the agenda as amended. Folk seconded. All voted aye. Motion carried.

Frey moved to approve the amended minutes with the date being corrected to April 3, 2024.

Bauman seconded. All voted aye. Motion carried.

Frey moved to approve the bills as presented. Bauman seconded. All voted aye. Motion carried.

The following vouchers were approved for payment: ARMOR INTERACTIVE \$2,461.00; ASKIM, CRAIG \$156.09; BAKER, ADAM \$53.59; THE BEACON \$1,648.06; BONNELL INDUSTRIES INC. \$479.01; BUTLER MACHINERY CO \$9,027.38; CDHRA TREASURER \$50.00; CHS INC. \$19,173.05; CITY AIR MECHANICAL, INC. \$928.76; CITY OF GOLDEN VALLEY \$29.75; CITY OF STANTON \$7,296.81; CIVICPLUS LLC \$4,951.69; WESTERN PLAINS PUBLIC HEALTH \$3,927.27; D & E SUPPLY CO INC. \$1,288.47; DAKOTA AWARDS, INC. \$24.99; DIRT PRO SERVICES \$165.00; DOLL, BRANDON \$626.54; ELECTRONIC COMMUNICATIONS INC. \$145.00; FARMERS UNION OIL CO. \$3,840.00; FARMERS UNION OIL CO. \$29.64; WEX BANK \$2,720.85; FREY, TRAVIS \$170.60; HAZEN HEALTH PHARMACY \$152.98; HAZEN STAR \$165.34; AUTO VALUE \$23.50; HOUSTON ENGINEERING INC. \$13,980.85; INFORMATION TECHNOLOGY DEPARTMENT \$5,551.94; J & M HARDWARE, INC. \$143.94; JOHNSON TRAILER SALES, INC. \$176.03; LANGUAGE LINE SERVICES \$90.00; QUADIENT LEASING USA, INC. \$682.29; RELX INC. DBA LEXISNEXIS \$205.00; MIDCONTINENT COMMUNICATIONS \$210.84; BRODKORB, VICKIE \$248.19; NAPA \$652.67; NDAAO \$650.00; OFFICE OF ADJUTANT GENERAL \$3,650.56; OFFICE OF ATTORNEY GENERAL \$1,645.00; ND DEPARTMENT OF TRANSPORTATION \$20.00; ND DEPT OF HUMAN SERVICES \$2,494.87; NORTH DAKOTA ONE CALL \$1.30; NDSU EXTENSION SERVICE \$14,822.01; NELSON INTERNATIONAL \$754.86; QUADIENT FINANCE USA, INC. \$1,000.00; NEUBERGER OIL COMPANY \$2,497.34; NORTHWEST TIRE AUTO SERVICE INC. \$8,914.84; ODP BUSINESS SOLUTIONS INC. \$13.52; OLSON, RONALD \$193.40; PEHL, PAM \$41.21; PFLIGER, METTA \$38.19; RDO EQUIPMENT CO. \$4,108.50; ROUGHRIDER ELECTRIC COOPERATIVE, INC. \$1,123.70; SCHEELS \$95.95; SEIFERT, BRADLEY Q. \$46.75; SIGN SOLUTIONS \$1,497.82; SMITHS DETECTION, INC. \$4,376.67; SNS AUTOSUPPLY LLC \$508.00; STERICYCLE, INC. \$21.40; TESKY, LEONARD \$410.10; THE HUB CONVENIENCE STORES, INC. \$106.60; TRUENORTH STEEL \$9,599.64; TYLER TECHNOLOGIES INC. \$120.00; UNIFORM CENTER \$904.96; WALLER, CHRISTOPHER \$655.68; WEST RIVER TELECOMMUNICATIONS \$3,009.97; WILMINGTON TRUST NA \$196,487.50; JOB SERVICE \$54.20 (Check #s 50159 through 50224).

Jennifer Neumiller, Tax Director/Land Use Administrator, presented three (3) zoning/temporary use permits to the board.

1. Temp Use #631 issued to Strata Corporation for portable crusher and screening operations along with stockpile of material on site and imported material located on a portion (24 acres) of SW4 of Section 26 T144N R84W (DLG Investments). Conditions attached to this permit are that work is limited to daylight hours, the area disturbed must be reclaimed by the applicant and must be approved and released by the County Road Superintendent, the haul road must be approved and released by the County Road Superintendent, weeds shall

be controlled in an acceptable manner during the time the permit is in effect, and dust control in the pit area. Folk made a motion to approve temporary use permit #631 for Strata Corporation. Taylor seconded. Folk, Taylor, Frey, and Wolf voted aye. Bauman voted nay. Motion carried.

2. Temp Use Zoning Case #632 issued to The Coteau Properties Company for drilling test holes for coal exploration as well as monitoring well installation in T145N R88W of Sections 29 and 32; T144N R89W of Sections 1, 2, 3, 11, 12. Conditions attached to this permit are that all test holes will be filled and reclaimed in accordance with applicable regulations. Bauman made a motion to approve temporary use zoning case #632 for The Coteau Properties Company. Frey seconded. All voted aye. Motion carried.
3. Temp Use Zoning Case #633 issued to Oliver Wind IV, LLC for a temporary laydown yard located in the NW1/4 Section 21, Township 144 North, Range 84 West. Frey made a motion to approve temporary use zoning case #633. Folk seconded. All voted aye. Motion carried.

Heidi Hamelton, City of Beulah, presented two abatements:

1. Darnell Boeckel for Lots 6 and 7 Block 4 Lignite Addition for 2022 and 2023 in which the true and full value be adjusted and a refund of taxes paid for the difference in value. Frey made a motion to approve the abatement for Darnell Boeckel which includes 2022 and 2023. Taylor seconded. All voted aye. Motion carried.
2. Scott Buchmann for Lots 10 and 11 Block 4 Lignite Addition, to change the value to \$64,030. Frey made a motion to approve the abatement for Scott Buchmann for the years 2022 and 2023. Bauman seconded. All voted aye. Motion carried.

Darren Hellman, Coteau Properties, gave an update for the year 2024. County Road 28 has been requested to be closed since 2005 and the agreement states the County and Coteau will reopen it in 2024. He stated this road is not ready to be reopened and presented an Amended Agreement to the original resolution signed in 2005. The commission would like to have five years to revisit this added to the terms. An amended agreement will be presented at the May 1, 2024, meeting.

The board recessed at 10:08 a.m.

The board reconvened at 10:14 a.m.

Ken Miller, County Road Superintendent, presented the 2024 Annual Bids/Recommendations. Frey made a motion to approve acceptance of bids per Ken's recommendation. Folk seconded. All voted aye. Motion carried. The following bid recommendations were approved:

1. Propane
 - Rud Oil & Gas - Center
2. Diesel Fuel & Unleaded Gasoline
 - Neuberger Oil - Beulah
 - Fitterer Oil - Hazen
 - Rud Oil & Gas - Center
3. Oil & Grease
 - Neuberger Oil - Beulah
4. Common Excavation
 - Hanson's Excavating, Inc - Minot
 - Baranko Bros. Inc. - Dickinson
5. Tires
 - Lignite Tire - Beulah
6. Culverts
 - Contech - Bismarck
7. Gravel & Scoria Crushing
 - Sundre Sand & Gravel Inc. - Minot
8. Lawn
 - S&M Lawn Service - Center

9. Equipment Rental

Baranko Bros. Inc. - Dickinson

Hanson's Excavating, Inc. - Minot

Lake View Services - Beulah

Sundre Sand & Gravel Inc. - Minot

Coyote Creek Trucking/Tanner Erickson - Zap

Miller would like to open bids for chip seal projects on County 26 over to County 13 (4-mile stretch); County 7 (1 mile); County 27 (3.5 miles); and the Hazen Bay Road to the boat ramp. Frey made a motion to go out for bids on the chip seals projects with the bid deadline at 9:00 a.m. on May 15, 2024, and open them at 10:00 a.m. May 15, 2024. Taylor seconded. Frey, Taylor, Folk, Wolf all voted aye. Bauman voted nay. Motion carried.

Miller spoke about the wash bay and welding bay shop heaters that need to be replaced. He received three bids: Professional Heating and Cooling (125,000 BTUs) - \$12,700; River City (60,000 BTUs) - \$10,586; and Legend Air (200,000 BTUs/80,000 BTUs) - \$13,775. Bauman made a motion to accept the Professional Heating and Cooling bid for \$12,700. Frey seconded. Bauman, Frey, Folk, Taylor voted aye. Wolf voted nay. Motion carried.

Miller discussed the Change Order for Project BRO-0029(056). The contractor would agree to half of the \$6,641 for clearing and grubbing which was for 61 lineal feet. This may qualify for the 80/20 split which would amount to the county share of approximately \$664. This will be discussed further at the May 1, 2024, meeting.

Miller presented a letter to the board from Ronald Henke with the ND Department of Transportation Department awarding the county \$788,350 from the Flexible Transportation Fund for Construction, and Construction Engineering for the 51st Ave SW project.

Bauman made a motion to approve sandblasting and painting #126 dump truck box for \$5,500. Frey seconded. All voted aye. Motion carried.

Bauman stated he had contacted Randy Byrum for gravel. Byrum is charging \$16 per ton and has 40,000 ton available. Further discussion will be had at the May 1, 2024, meeting.

Jack Schwab presented an update for the memorial monument for Paul Martin. They would like to set the monument beside the veteran wall in front of the courthouse. Bauman made a motion to place the monument in front of the courthouse pending approval from the maintenance department. Folk seconded. All voted aye. Motion carried.

Taylor made a motion to accept the Sheriff fees for March in the amount of \$45,485.29. Bauman seconded. All voted aye. Motion carried.

Folk made a motion to approve duplicate warrant #54788 for \$20. Taylor seconded. All voted aye. Motion carried.

Kent Roth, Mercer County Sheriff's Department, presented a 911 Memorandum of Understanding between Mercer County and the MHA Nation. Folk made a motion to approve the agreement with the MHA Nation. Taylor seconded. All voted aye. Motion carried.

Deanne Gierke, Beulah Lions Club, spoke with the commission regarding funding for a park that has been completed at the Riverside Park. The board would like to see a formal request with a set dollar amount. Gierke also spoke on behalf of the 4-H Council about raising money to pay for spray foaming the inside of the McKenzie building on the fair grounds. No action taken.

The board recessed at 11:15 a.m.

The board reconvened at 11:19 a.m.

EM position was discussed. There are two applicants for the position and another potential option has come up. A special meeting will be held on May 1, 2024, with interviews being at 1:00 p.m., 1:30 p.m., and 2:00 p.m. for the tri-county discussion.

Taylor made a motion to appoint the 2024 Election Inspector for VBM is Gordon Hoffner, the 2024 Election Inspector for the Hazen district is Donna Hanson for the primary and general elections and that the county auditor would be able to appoint others if there are vacancies to those positions.

Frey seconded. All voted aye. Motion carried. Bauman amended the motion to state it being for the primary election only. Folk seconded. Bauman, Folk, Taylor, Wolf, voted aye. Frey voted nay. Motion carried.

Frey made a motion to approve an ad explaining the Mercer County Extension mill levy measure. Folk seconded. All voted aye. Motion carried.

Folk made a motion to approve the County Nurses report. Taylor seconded. All voted aye. Motion carried.

Folk made a motion to approve the Recorder fees for January (Dec fees) \$3,488.20; February \$3,980.95; and March (Feb fees) \$6,208.60. Frey seconded. All voted aye. Motion carried.

Discussion was held regarding the health insurance amounts coming out of the department budgets.

Folk stated that the Landfill needs some scoria. Bauman will talk to the Highway department and coordinate getting scoria to the Landfill from the county shop.

Folk made a motion to pay \$28,684.22 to include Jim's portion to be paid to Jim Albers' NDPERS. Taylor seconded. All voted aye. Motion carried.

Portfolio updates were given.

There being no further business the meeting was adjourned at 12:00 p.m. The next meeting is scheduled for May 1, 2024, at 9:00 a.m. at the Mercer County Courthouse in Stanton, North Dakota.

Approved: _____
Gene Wolf, Chairman

Attest: _____
Gwyn Bosch, Deputy Auditor