

## **Mercer County Commission Minutes August 21, 2024**

The meeting was called to order at 9:00 a.m. by Chairman Gene Wolf. Present were Commissioners Jamee Folk, Travis Frey, Rick Bauman, Auditor Carmen Reed, and Dan Arens of the Hazen Star. Liza Taylor was absent. Others present during the meeting were Treasurer Dawn Grannis, Sheriff Terry Ternes, HR/EM Director Alice Grinsteinner, Recorder Shannan Senger, Tax Director Jennifer Neumiller, Landfill Supervisor Candy Strand, Houston Engineering Sherwin Wanner, States Attorney Todd Schwarz, Casey Voigt, Lori Davis, Kyle Lukenbach, Scott Bather, Rod Brecht, Attorney Mark Kaffar, Sakakawea Bay Owners Association President John Vallely, Glenn Baranko, Ron Boyko, Shannon Sailer, Lillie Basaraba, Weed Director Brad Seifert, Weed Board Chairman Shannon Sailer, and Darwin Knutson.

Pledge of allegiance was said.

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

Frey moved to approve the August 7, 2024, minutes as presented. Folk seconded. Folk moved to amend minutes by replacing "John" with "Jack" on page three, line three. Frey seconded. All voted aye. Amended motion carried. All voted aye. Motion carried.

Frey moved to approve the August 16, 2024, special interview minutes as presented. Folk seconded. All voted aye. Motion carried.

Folk moved to approve all bills as presented. Frey seconded. All voted aye. Motion carried. The following bills were approved for payment: JP MORGAN CHASE BANK \$1,932.31; ARMOR INTERACTIVE \$2,461.00; BAKER, ADAM \$32.50; BEULAH LUMBER CO \$125.88; BRONSON'S MARKETPLACE \$4.99; BUTLER MACHINERY CO \$1,312.92; CHARM-TEX, INC. \$115.80; CITY AIR MECHANICAL, INC. \$364.00; CITY OF BEULAH \$127.50; CITY OF GOLDEN VALLEY \$29.75; DAKOTA AWARDS, INC. \$24.99; FARMERS UNION OIL CO \$27,373.50; FREY, TRAVIS \$99.58; GRINSTEINNER, ALICE \$127.17; HAZEN HEALTH PHARMACY \$173.14; HOLIDAY INN FARGO \$577.80; INFORMATION TECHNOLOGY DEPARTMENT \$6,065.74; INTERSTATE POWER SYSTEMS, INC. \$1,985.92; ISTATE TRUCK CENTER \$13,687.90; KIM'S APPLIANCE SERVICE, INC. \$633.09; LAKE VIEW SERVICES, LLC \$10,631.25; LANGUAGE LINE SERVICES \$518.07; LAUGHING BEAR INC. \$2,968.89; MERCER COUNTY HIGHWAY DEPARTMENT \$2,505.42; MIDCONTINENT COMMUNICATIONS \$176.54; NAPA \$272.06; WESTERN DAKOTA ENERGY ASSOCIATION \$500.00; OFFICE OF ATTORNEY GENERAL \$1,550.00; ND DEPARTMENT OF TRANSPORTATION \$1,339.66; NDLTAP \$500.00; NDPOA \$30.00; NELSON INTERNATIONAL \$959.05; QUADIENT FINANCE USA, INC. \$1,000.00; NEUBERGER OIL COMPANY \$4,274.24; NEUMILLER, JEN \$251.80; OLSON, CURTIS E. \$600.00; OPP, ELROY \$59.96; PFLIGER, METTA \$210.38; RAMADA BISMARCK HOTEL \$96.30; ROUGHRIDER ELECTRIC COOPERATIVE, INC. \$655.60; SAYLER, DAWN \$447.00; STERICYCLE, INC. \$21.40; VERIZON WIRELESS \$491.31; WEIGUM, DYLAN \$23.00; WEST RIVER TELECOMMUNICATIONS \$2,662.85; WOLF, GENE \$126.38; WEST RIVER

TELECOMMUNICATIONS \$495.00; EXTREME SALES INC \$620.00; . (CHECK#s 50930-50977) TOTAL \$91,241.64.

Bauman moved to approve the July Recorder fees of \$5,019. Folk seconded. All voted aye. Motion carried.

Tax Director Jennifer Neumiller presented the following zoning cases:

- Zoning Case #24-08-01- Shane & Samantha Goetz- Non-Farm Residence-9.91 Acre Tract in W2W2SWSW SEC 30 T142N R88W. Folk moved to approve Zoning Case #24-08-01. Frey seconded. All voted aye. Motion carried.
- Zoning Case # 24-08-02 Shane & Samantha Goetz- Rezone Residential Tract to Ag District-4.97 Acres in E2SE4SE4SE4 Sec 25 T142N R89W. Folk moved to approve Zoning Case #24-08-02. Frey seconded. All voted aye. Motion carried.
- Zoning Case #24-08-03 Trever & Sierra Erickson-Non-Farm Residence- 2 Acre Tract in NESE Sec26- T143N R88W. Folk moved to approve Zoning Case #24-08-03. Frey seconded. All voted aye. Motion carried.

Attorney Mark Kaffar representing the cities of Golden Valley and Pick City requested the county not to charge the cities for their portions of the Vanguard assessment project due to the city's limited funds stating that it would cause an undue hardship to these cities. Kaffar also stated that he believes this project benefits the county more than either city. This reappraisal project included 700 county parcels at a cost of \$371,362, Pick City parcels at a cost of \$47,484, and Golden Valley parcels at a cost of \$42,709. When asked if this project was required by law, Neumiller stated it is a more uniform way of assessing all properties, making it fair and equitable across the county. States Attorney Todd Schwarz advised the commission that because there was no notice to the cities regarding this billing that they can't legally bill them. Folk moved to clarify it was not the intent of the commission when accepting the Vanguard assessment contract to bill the individual municipalities for their costs. Frey seconded. Folk, Frey, and Wolf voted aye. Bauman voted nay. Motion carried.

Landfill Supervisor Candy Strand and Houston Engineering Sherwin Wanner reviewed the current landfill project and state inspection. Folk moved to approve up to an additional \$10,000 to be used for the installment by the Northern Improvement Company of an intermediate cover in the new cell. Frey seconded. All voted aye. Motion carried. Wanner stated that the master service agreement will need to be updated to reflect this additional \$10,000 amendment then presented to the commission for approval.

States Attorney Todd Schwarz presented the Special Assessment District Resolution for the Bayview Heights Subdivision road improvement project. Frey recused himself. Bauman moved to approve the Resolution of Necessity for a Special Assessment District for the Bayview Heights Subdivision as presented. Folk seconded. All voted aye. Motion carried. The protest hearing for this approved resolution was set for a special meeting to be held on September 6, 2024, at 9:00 a.m. in the boardroom of the Mercer County Government Center in Stanton. It

was agreed that project bids will be advertised and bid opening was set for September 6, 2024, at 9:15 a.m.

Sakakawea Bay Owners Association representatives John Vallely and Glenn Baranko discussed the county general maintenance agreement with the board. The commission board agreed to reaffirm that county general maintenance for snow removal, moving ditches, and crack sealing will be continued and is enforced by century code. Chip sealing would be scheduled and completed as needed by the county road department and the cost will be assessed back to the residents.

County Road department tractor purchase was discussed. No action taken.

Recessed at 10:41 a.m.

Reconvened at 10:46 a.m.

Weed Director Brad Seifert and Weed Board Chairman Shannon Sailer requested approval for the purchase of a new 83-inch tandem axle channel utility trailer for a total cost of \$6,200. Monies used to pay the majority of this cost include a grant for \$1,500 and sale of the old trailer for \$1,500. Frey moved to approve the purchase of the new trailer for \$6,200. Bauman seconded. All voted aye. Motion carried. Frey moved to approve the weed board to put the existing trailer up for bids. Folk seconded. All voted aye. Motion carried.

HR/EM Director Alice Grinsteinner introduced Colonial Life Agent Dan Aubol who discussed what Colonial Life has to offer the county. Aubol will be at the scheduled October 17, 2024, Mandatory Risk Management, HR and Wellness Day to discuss these services to the employees.

Grinsteinner presented the Oliver Emergency Management (EM) MOU agreement for approval. Frey moved to approve the Oliver EM MOU agreement as presented. Folk seconded. Folk moved to amend the motion to change item #2 on the first page from "30<sup>th</sup> of June, 2029, subject to renewal" to "31<sup>st</sup> of January, 2025, subject to renewal." All voted aye. Amendment motion carried. All voted aye. Motion carried.

Folk moved to approve both 2024 and 2025 Stark County Veteran Service Officer Joint Powers Agreements. Bauman seconded. All voted aye. Motion carried.

2025 budget comments were presented by Darwin Knutson. Concerns and suggestions included:

\*Suggested hiring a county engineer to cover road department and jail building maintenance.

\*Requested to know what the \$1 million dollars paid out to Core Facility Solutions for Courthouse building maintenance covered.

\*MCED is not a government entity, a private organization, that this county should not be giving a private organization tax payers' money. Wolf stated he would have the states attorney look into this to confirm if MCED is a private or government entity.

\*In the past Mercer County gave the cities of Hazen and Beulah \$360,000 for roads illegally and is requesting these funds be paid back to Golden Valley, Zap, Stanton, and Pick City.

\*Requested the actual numbers on the Federal Housing program expenses and revenues received through the Sheriff's office.

\*Requested a plan of eliminating the property taxes for all county retirees.

\*Coal severance taxes have been taken away and requested the commission to form a committee with neighboring counties and request the State to return these funds back to the counties.

States Attorney Todd Schwarz presented the Certified Public Protest petition with a total so far of 555 signatures (needing a minimum of 471), and stating that the voters want to make the decision of whether these offices should be elected or appointed. Schwarz requested the commission to rescind the motion that approved the preliminary resolution to appoint Auditor, Treasurer & Recorder positions and abide by the voters' wishes to have this measure put on the ballot at the next General election. Schwarz stated that the motion had to be rescinded before the measure could go on the ballot, due to conflicting methods. Folk moved to rescind the motion until after the November election. Frey seconded. Folk and Frey voted aye. Bauman and Wolf voted nay. Vote tied and put on next regular meeting agenda on September 4, 2024, at 10:30 a.m.

Folk moved to appoint Elroy Opp as the County Road Superintendent with salary or wages up for negotiation. Frey seconded. All voted aye. Motion carried.

The board agreed that the final 2025 Budget Public Hearing will be held on October 2, 2024, at 11:00 a.m.

Portfolio updates were given.

There being no further business the meeting was adjourned at 11:53 a.m. The next regular meeting is scheduled for Wednesday, September 4, 2024, at 9:00 a.m. in the boardroom of the Mercer County Government Center in Stanton, North Dakota. The meetings can be viewed online at [www.mercercounty.com](http://www.mercercounty.com)

Approved: \_\_\_\_\_  
Gene Wolf, Chairman

Attest: \_\_\_\_\_  
Carmen Reed, Auditor