

**OFFICIAL PROCEEDINGS OF THE LAMOURE COUNTY BOARD OF COUNTY COMMISSONER MEETING-
December 21, 2021**

The Board of LaMoure County Commissioners met Tuesday, December 21, 2021, with Chairman Lee Miller, Commissioners Bruce Klein, Keith Heidinger, Jason Weigel and Bob Flath, State's Attorney James Shockman, Auditor Jan Hamlin, Highway Superintendent Josh Loegering, and Art Hagebock with the LaMoure Chronicle at the courthouse. Attending by teleconference were DES/911 Coordinator Kimberly Robbins and Patty Wood Bartle with the Edgeley Mail. Chairman Miller called the meeting to order at approximately 8:30 a.m. with the pledge to the flag.

Reorganization of the Board was held. Chairman Miller called for nominations for Chairman. Comm Heidinger made a motion to nominate Comm Klein. Further nominations were called for, none were received. Motion to cease nominations for Chairman and cast unanimous ballot for Comm Klein as Chairman by Comm Flath. All voting aye, motion carried. Chairman Klein called for nominations for Vice Chairman. Comm Weigel made a motion to nominate Comm Flath for Vice-Chairman. Further nominations were called for, none were received. Motion to cease nominations and to cast unanimous ballot for Comm Flath as Vice-Chairman by Comm Heidinger, seconded by Comm Miller. All voting aye, motion carried.

Chairman Klein asked for additions to the agenda. Chairman Klein said that Sonya Albertson gave him some information on Scenic Backway. Comm Heidinger made a motion to approve the agenda with additions, seconded by Comm Miller. All voting aye, motion carried.

Auditor Hamlin informed the commissioners that she added (Johnson & Johnson) Janssen doses are available at LaMoure Drug in the Public Health section to avoid any confusion from the December 7 draft minutes that only stated Janssen. Comm Weigel made a motion to approve the December 7 minutes with the correction, seconded by Comm Flath. All voting aye, motion carried.

Highway Superintendent Josh Loegering gave his report. The wings are on the motor graders and plows. They have been out numerous times and are out today. The salt/sand is ready to go. He got one load and it should last the whole year. They are done hauling rocks for the year. Josh ordered \$70,000 worth of culverts for next year. There have been four price increases this year for culverts. During a normal year they go up 15%. The \$70,000 worth of culverts is what we use in half a year. He also replaced the 1993 Ford pickup 2WD (Jud) with a 2013 Chevy for \$10,000, which has 200,000 miles. Josh discussed the passage of HB 1505-ARPA-Funds. LaMoure County is tentatively set to get \$1.5 million. He had maps with some potential projects for the next two years. Nothing is set in stone. He does plan to use the \$1.5 million for 20 miles of micro sealing. All the culverts will be done ahead of any project. Also, part of the HB 1505, the state will have funding through the NDDOT for bridge projects. The projects will have to be rehab not replacement. Josh will submit for the bridge south of Adrian on CR 63 23-124-05 if it can be a rehab project. There has been a lot of work done this year on improving signage. They put out 329 object markers on bridges, large culverts, and delineators through bad shoulder areas. They also put up three-foot yellow tubes in areas where the water is up to the road. When the Berlin Road was being worked, they put blinking red stop signs on CR 35 and CR 61, and on CR 60 they are at the intersection at CR 34 and CR 35. The cost is approximately \$125 apiece.

Treasurer Cindy Worrel went over the canceled/added tax list. It is to clean up errors in our system for homestead and veteran credit. The homestead credit will be recouped in 2021 and veteran credit in 2022. Comm Miller made a motion to approve the canceled and added tax list, seconded by Comm Weigel. All voting aye, motion carried. Cindy said the mailing of the tax statements in-house this year cost about \$3,200. The postage was about \$1,726. The prior year outsource cost was about \$2,230, not counting all the extra mailing they had to do in-house. The year before that the outsource cost was \$3,200. She feels the in-house mailing is working well and wants to keep doing it that way in the future.

DES/911 Coordinator Kimberly Robbins gave her presentation on the tower structural study. The county currently owns a 180-foot ROHN 45, guyed, tubular steel, solid steel leg tower. It currently has two antennas near 175 feet. Other expenses to LaMoure County for this tower include land rent, electricity and maintenance. The income is rental from one business with antenna space. The other antenna is a local government entity which doesn't pay rent. The expenses are greatly exceeding the income. There has been some interest in adding antennas to this tower. The capacity of the tower would need to be reviewed before that could happen. The current tower has outstanding maintenance that needs to be done. When maintenance was done, they didn't know some of the equipment needed to be replaced and didn't have the materials with them. They did replace what they could at that inspection. A PE stamped structural tower study and analysis would provide data on the capacity. A quote for this study

is \$1,500. The commissioners will review the current contract and hope to have the interested party on one of the January agendas.

Clerk of Court Billi Warcken said she filled out the application for a desk and file cabinets for the Court Facilities Grant. She received a quote from the National Business Furniture for \$3,877.70. She needs a signature from the commissioners because the application is due by the end of the year. The grant covers 75%, which is \$2,908.28. The county will be responsible for \$969.43. Chairman Klein signed the application.

State's Attorney James Shockman gave an update on the Opioid Litigation Settlement. He said that on December 6 he met with our attorneys, Fears Nachawati Law Firm. It was a conference call with all the plaintiffs and political subdivisions they represent across the state, which is about 75%. He had a conversation with them about the strategy going forward if we would enter into a contract with the companies that have offered a settlement. The pharmaceutical distributors are McKesson, Cardinal Health and AmerisourceBergen. They have agreed to pay up to \$21 billion over eighteen years. The one manufacturer, Janssen Pharmaceuticals, Inc., and its parent company Johnson & Johnson, have agreed to pay about \$5 billion over nine years. The county needs to decide whether we want to opt in on this settlement. The default rule if we opt in is, and they get what is called a critical mass across the whole state, they would receive 100% of the funds allocated to that state. The distribution is 15% subdivisions, 15% state, and 70% state abatement fund. The 15% can be used, however the subdivision and state choose but the 70% has to go to programs to abate opioid and drug addiction. The law firm representing us is in contact with the North Dakota Attorney General. We have to decide if we should sign a Memorandum of Agreement with the North Dakota Attorney General and negotiate a different distribution of funds rather than the default, or just go with the default plan through our attorney. This will need to be discussed in an executive session. Some things are going to be attorney client privileged and our attorneys don't want that information out in the public until a decision is made. Comm Heidinger made a motion to go into executive session, seconded by Comm Miller. All voting aye, motion carried. The commissioners then went into executive session at 9:08 a.m.

The regular meeting resumed at 9:35 a.m. Comm Flath made a motion to opt in to the proposed settlement with distributors McKesson, Cardinal Health and AmerisourceBerge and the manufacturer, Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson, seconded by Comm Weigel. All voting aye, motion carried.

Auditor Hamlin went over the year end transfers for 2021. They are as follows: County General to County Agent \$35,000, County General to Public Health \$76,500, County General (State Aid) to Road and Bridge \$560,546.40, and County General to Road and Bridge \$600,000. Comm Flath made a motion to approve the transfers, seconded by Comm Heidinger. All voting aye, motion carried.

Auditor Hamlin handed out the current holiday closings which had LaMoure County holidays, North Dakota holidays, and federal holidays. LaMoure County is the only county in the state that requires employees to use vacation or day without pay for the day after Thanksgiving. This and other policy changes will be discussed next year but this was informational at this time. There was then discussion on this week closing, which was tabled from the last meeting. Comm Weigel made a motion to close the courthouse the afternoon of December 23 for employee appreciation, seconded by Comm Miller. All voting aye, motion carried. Auditor Hamlin thanked the commissioners on behalf of herself and all county employees.

Auditor Hamlin informed the commissioners that the Redistricting Board held their meeting after the last commissioner meeting. They moved Ryan Township from Commissioner District 2 to Commissioner District 4, and moved Gladstone Township from Commissioner District 1 to Commissioner District 2. Hamlin said that all of the county will be Legislative District 28. Based on this information Comm Flath made a motion to move Swede and Norden Townships from Precinct 4 to Precinct 3 and move Gladstone Township from Precinct 1 to Precinct 2, and have a total of 4 Precincts in LaMoure County, seconded by Comm Heidinger. All voting aye, motion carried.

Chairman Klein said that Sonya Albertson would like approval from the board to put the Scenic Backway brochures at the rest areas and the cost to do that is \$250 per year. There are enough brochures left from last year. Comm Miller made a motion to approve Scenic Backway brochures be put at the rest areas, seconded by Comm Weigel. All voting aye, motion carried.

Break 10:02 a.m. to 10:12 a.m.

Comm Flath made a motion to approve the bills, seconded by Comm Weigel. All voting aye, motion carried.

<u>Vendor Name</u>	<u>Amount</u>
A W DIESEL SERVICE	1,699.25
ALLIED ENERGY	3,821.29
AT&T MOBILITY	61.34
BOBCAT OF GWINNER	9.14
BUILDERS MART	52.00
BUTLER MACHINERY COMPANY	7,788.45
CAPITAL I INDUSTRIES INC.	20,250.00
CENEX FLEETCARD	1,153.24
CENTRAL BUSINESS SYSTEMS INC	467.49
COLE PAPERS INC	254.65
COMPUTER EXPRESS	7,894.99
DAKOTA DYNAMICS	1,000.00
DAKOTA VALLEY ELECTRIC	84.51
DEERE & COMPANY	1,790.07
DICKEY RURAL COMMUNICATIONS	109.91
ECONOMY OIL INC	2,319.00
EMMONS COUNTY	10.00
FARGO FREIGHTLINER	96.68
FLATH/ROBERT	300.00
GALLS, LLC	163.20
GLAXOSMITHKLINE PHARMACEUTICALS	437.64
GWORKS	12,500.00
HEARTLAND STATE BANK / VISA	2,640.86
HEIDERING/KEITH	296.32
IAAO	225.00
JAMESTOWN COMMUNICATIONS	4,259.90
JOHN DEERE FINANCIAL	127.16
KARTES/THOMAS	12,888.43
KLEIN/BRUCE	473.92
KULM PUBLIC SCHOOL	35.00
LAMOURE FOODS, INC.	75.24
LAMOURE PRINTING COMPANY	1,177.00
LEXIS-NEXIS	411.21
LINDE GAS & EQUIPMENT, INC	48.77
LITCHVILLE BULLETIN	188.46
MAIN STREET FARM & HOME	15.69
MERCK SHARP & DOHME CORP.	1,147.34
MILLER/LEE	418.72
MONTANA DAKOTA UTILITIES	56.56
ND ASSOCIATION OF COUNTIES	198.30
ND ASSOCIATION OF COUNTY ENGINEERS	150.00
ND DEPARTMENT OF TRANSPORTATION	5.00
ND DEPT. OF TRANSPORTATION	9,809.46
ND SAFETY COUNCIL	320.00
NEWMAN SIGNS INC	1,695.92
NORTHWEST TIRE INC	1,428.12
OST BODY & PAINT	1,040.00
OTTER TAIL POWER COMPANY	2,469.25
PRODUCTIVITY PLUS ACCOUNT	36.16
PURCHASE POWER	2,520.00
QUALITY INN	86.40
RACINE/JULIANNE	35.84
ROBBINS/KIMBERLY	13.44
SCHMOKER/RON	16,946.62
SHOCKMAN LAW, PLLC	2,468.01
SIGN SOLUTIONS	2,337.64
STUTSMAN COUNTY CORRECTION CENTER	3,975.00
SUNSET LAW ENFORCEMENT	45.20
TEAM LABORATORY CHEMICAL CORP.	801.50
TRUENORTH STEEL	70,376.00

TYLER TECHNOLOGIES	4,065.96
US RECORDS MIDWEST LLC	1,299.50
VARI SALES CORPORATION	1,219.50
VERIZON CONNECT NWF INC	210.47
VERIZON WIRELESS	737.33
WALK-N-ROLL	869.57
WALKER/DELIA	45.00
WASTE MANAGEMENT	312.34
WEIGEL/JASON	425.44
WEX HEALTH, INC.	83.00

There being no further business, Chairman Klein adjourned the meeting at 10:29 a.m.

APPROVED THIS 4th DAY OF JANUARY, 2022

BRUCE KLEIN, Chairman

ATTEST:

JAN HAMLIN, County Auditor