

**OFFICIAL PROCEEDINGS OF THE LAMOURE COUNTY BOARD OF COUNTY COMMISSONER MEETING-
August 17, 2021**

The Board of LaMoure County Commissioners met Tuesday, August 17, 2021, with Chairman Lee Miller, Commissioners Bruce Klein, Keith Heidinger, and Jason Weigel, State's Attorney James Shockman, Auditor Jan Hamlin, Treasurer Cindy Worrel, Highway Superintendent Josh Loegering, Tax Director Denice Porter, Terri Potts, Laura Leppert, and Art Hagebock from the LaMoure Chronicle at the courthouse. Attending by teleconference were Comm Bob Flath, DES/911 Coordinator Kimberly Robbins, and Patty Wood Bartle from the Edgeley Mail. Chairman Miller called the meeting to order at approximately 8:30 a.m. with the pledge to the flag.

Chairman Miller asked for additions to the agenda. Omitted taxes and Annexation Board were the additions. Comm Klein made a motion to approve the agenda with the additions, seconded by Comm Weigel. All voting aye, motion carried.

Comm Weigel made a motion to approve the August 3 minutes, the August 9 special minutes, and the August 3 budget minutes, seconded by Heidinger. All voting aye, motion carried.

Comm Heidinger made a motion to approve the South Central Dakota Regional Council Joint Exercise Governmental Powers Agreement, seconded by Comm Weigel. All voting aye, motion carried. Comm Heidinger said that cities do use them to get advice on what to do and can get grants and loans. Kulm has used them. Dickey is in the process of using them. The county even used them years ago. It is there for all entities in the county to use. LaMoure County has Vince Watkins on the board for the cities and Keith Heidinger for the county. The cost for next year is \$9,764. State's Attorney Shockman said he reviewed the agreement and it looks good.

DES/911 Coordinator, Kimberly Robbins, started with drought information. LaMoure County is currently in D2/D3, which means severe and extreme drought. In the state of North Dakota, 16 counties and one Tribal Nation have drought declarations. The drought declarations are all over the state. There are some in the northwest, northeast, southwest, and only Sargent County in the southeast. There are resources available at www.ndresponse.gov. The fire danger continues to be updated daily at 7:00 a.m. Since April 5th, there have been 101 moderate days, and 31 days with the burn ban in place. Kimberly drafted a drought declaration for the commissioners to consider. The last time the LaMoure County Commissioners declared a Drought Declaration was in 2017. There isn't FEMA funding, however, USDA might have some programs available. This would activate the LaMoure County Emergency Operation Plan with any relevant resources as determined by the commission chairman if the commissioners decide to declare a declaration. Most of LaMoure County is in the D2 category and three of the four corners in the county are in the D3. Chairman Miller asked which departments should be involved in the Emergency Operations Command. It was suggested that DES and Extension would definitely be involved and others could be added. Comm Heidinger made a motion to declare a Drought Emergency Declaration for LaMoure County, seconded by Comm Klein. All voting aye, motion carried.



LaMoure County
202 4th Ave NE -- PO Box 128
LaMoure, ND 58458

**Drought Emergency Declaration
FOR
LaMOURE COUNTY, NORTH DAKOTA**

WHEREAS, LaMoure County, North Dakota is currently in D2 Severe Drought and D3 Extreme Drought and has suffered damages to pasture land, crops, feed and water supplies for livestock; and

WHEREAS, numerous rural and wildland fires have occurred in LaMoure County due to these conditions; and

WHEREAS, Governor Burgum declared a drought-related emergency in Executive Order 2021-08; and

WHEREAS, the continued impact of dry conditions could threaten the health, well-being and safety of livestock, as well as the livelihood of farmers and ranchers within LaMoure County; and

WHEREAS, all available resources remain committed to protecting life and property; and

NOW, THEREFORE, BE IT RESOLVED that the LaMoure County Commission declares an emergency and orders the activation and utilization of the LaMoure County Emergency Operations Plan, its procedures, attachments and appendices to monitor the situation, develop a detailed damage assessment, alleviate hardship, and initiate appropriate relief actions and mitigation measures by departments and agencies of local government to limit the hardships and impact of this emergency upon the citizens of LaMoure County, North Dakota.

DATED at LaMoure, LaMoure County, North Dakota, this 17th day of Aug, 2021.

By: Lee Miller
Lee Miller, Chairman, Board of Commissioners

Witnessed: Janice Hamlin
Janice Hamlin, Auditor, LaMoure County

The next agenda item is the Spring Storm Event. August 9, 2021, Governor Burgum requested a presidential major disaster declaration for the June storm event. LaMoure County was affected by this event and met the damage threshold. We are sitting at the declaration stage. It has to go through FEMA and the President of the United States. We have a long way before funding will be available. Generally, it is six months from the disaster declaration. LaMoure County currently has three active disasters DR4444 Spring Flooding 2019, DR4475 Fall Flooding 2019, and DR4509 Spring Flooding 2020. The other counties included in the current disaster are Burke, Divide, Emmons, Grant, Kidder, Sioux, and Williams Counties. Any adjacent neighboring counties can be added since LaMoure County was originally in the disaster declaration.

There was discussion at the last meeting about the TextMyGov. The first year would have an annual fee of \$1,800 and a setup fee of \$900 for a total of \$2,700. Year two would have a fee of \$1,800. There is a price increase after August 31st. The first year would be \$4,200 and the second year \$3,000. TextMyGov would be a local number where anyone could text and ask for information and be provided real time feedback. It gets feedback from a database the county would create. Each department will need to update their information. Chairman Miller has reviewed the program and likes that information is going two ways instead of our other methods which are one way. He also likes that if it isn't working the way we would like it to we are only obligated for two years. It is a good way to get more data out to the public. Chairman Miller would recommend the county purchase this contract. Comm Klein made a motion to purchase a contract with TextMyGov, seconded by Comm Weigel. All voting aye, motion carried.

Highway Superintendent, Josh Loegering, gave his report. He finally received a bill for the bridge inspections. It was for 2020 and 2021 and total cost was \$37,000 for the two years. That is the county's share of 20%. The state will cover 80%. We have to sign the certification that our local match for the bridge inspection is local funds. We will use our bridge funds to pay that bill. The crew is 99% done with the shoulder pull on CR 66 and moving on to CR 33. The bridge bundling pre-construction meeting is tomorrow. They will be starting site one, which is just south of Hwy 13 on CR 163, starting August 30. The other two sites are Henrietta Township on the Wano line and north of CR 35 in Kennison Township. The bridges will all be box culverts. A couple weeks ago the crew finished CR 62 chip sealing. The City of LaMoure is finished. All of the chips have been hauled to Edgeley. They can't seal until Edgeley has all their patching done. The crew is milling ½" on CR 34 for one mile from CR 62 to one mile east and leveling. Then tomorrow they will do otta sealing. They will do the same on CR 35 for one mile from CR 61 to one mile west. They are going to see how this works. The cost is \$11,000 for one mile. The chip seal, fog seal, that was done is really good. The chips really stick. Josh received the quote last night for the bridge by Grand Rapids. The new deck is \$184,000. It will be two bridges, two 50' spans to make

100'. That is the cost just for the bridge. We will have to rent a crane and it doesn't include the cost to remove the old deck. Josh will send all the information to KLJ to make sure it will be going back to the legal limit. Everything will be new except the current abutments and pier. The bridge will be the same size it was before and they will not update the guardrail.

State's Attorney, James Shockman, said the Mutual Support Agreement with the LaMoure County Museum was created to make sure the allocations of funds are correct. The museum must spend the funds according to ND statutes. The county will provide allocations of .25 mill along with up to \$5,000 to the museum per year for specific purposes. The agreement covers the county if the museum spends the money outside the ND statutes. Comm Heidinger made a motion to sign the Mutual Support Agreement with the LaMoure County Museum, seconded by Comm Weigel. All voting aye, motion carried.

Tax Director, Denice Porter, presented the inundated acres for 2021. There was a total of 34 applicants. Comm Klein made a motion to approve the 2021 inundated acres presented, seconded by Comm Heidinger. All voting aye, motion carried.

Comm Klein made a motion to go with the increase in premium and coverage for Fire and Tornado, seconded by Comm Weigel. All voting aye, motion carried.

Comm Heidinger made a motion to approve a special event permit for Horseshoe Saloon for a wedding September 18 at LaMoure County Memorial Park, seconded by Comm Weigel. All voting aye, motion carried.

Treasurer, Cindy Worrel, presented a list of omitted taxes for Lots 5-8 Block 14 Original Kulm and Lots 8-10 block 1 Organs Addition Kulm for 2019 and 2020, along with abated tax for 2019 to prorate the taxes to date of sale. The total taxes are \$477.53 and a 5% discount will be allowed if paid by September 15, 2021. The tax balance would then be \$453.66. The property was formerly owned by Kulm Public School and was sold at a public auction. The auctioneer told them the day of the sale there weren't any taxes. This property was a school and was exempt of taxes. Once a property is sold to a private party, that isn't exempt, taxes are assessed. Laura Leppert objected to any taxes on this property. Ms. Leppert wanted to know by what authority can the county assess taxes. State's Attorney, James Shockman said that is under the North Dakota Century Code. When there is an omission like this, the county has the ability to send out notice so at that point you can show cause why the property should not be added to the tax roll. If you do not show up to that meeting, you waive your ability to show cause. The process for omitted property can be found under NDCC 57-14. Ms. Leppert accepts the patent but objects to the taxes. Ms. Leppert requested to pay in gold or silver. The county policy is to accept payment in the form of a check or cash. Ms. Leppert objects to that form of payment stating it is her constitutional right to pay any debt with gold or silver. Comm Heidinger made a motion to approve the omitted taxes under NDCC 57-14 and allow the 5% discount for thirty days to September 15 for a total of \$453.66, seconded by Comm Klein. All voting aye, motion carried.

State's Attorney, James Shockman, said that we have had a resident petition to annex his property into a different school district. The next step is to form an annexation, reorganization, and dissolution five-member board with three-year staggered terms. We have advertised and had no applicants. The auditor will make recommendations to the commissioners and the commissioners will approve the board members. It doesn't appear that commissioners could serve on the board because they are appointing that position. It doesn't have to be someone from each commissioner district. The property would be going from LaMoure County school to Barnes County school so both boards will need to hold a joint meeting. Once the local board makes a decision, it will go to the state board for approval. Auditor Hamlin will reach out to the schools and would appreciate any names of interested individuals to serve on this board.

Auditor Hamlin requested to transfer \$60,000 from the closed FEMA account to the Culvert account. The other request was to transfer \$34.49 from Human Services to County General. Comm Heidinger made a motion to approve the transfers, seconded by Comm Flath. All voting aye, motion carried.

Break 9:32 a.m. to 9:44 a.m.

Future commissioner meeting dates were set for October 7, October 19, November 2, November 16, December 7, and December 21.

Comm Flath left the meeting.

Public Health Director, Jessica Duffy, gave a Covid update. Vaccinations and testing rates have picked up in the county. There were six active cases in the county last week. There are three active cases today. The 65 and older age group are 79% vaccinated and the 18 and up are 52.9% vaccinated with at least one dose. The infection rates are going up and the cases are on the rise. A third shot has been approved for Pfizer and Moderna for immunocompromised individuals. The current shots are effective for the new strains but not as effective as it was for the first strains. Studies are ongoing on how long the vaccine will last in your system. There are studies still going on for the 12 and under vaccination.

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

| <u>Vendor Name</u> | <u>Amount</u> |
|---------------------------------------|---------------|
| ALLIED ENERGY | 86.42 |
| AMERICAN INCOME LIFE INS CO | 19.20 |
| AT&T MOBILITY | 61.64 |
| BURLEIGH-MORTON DETENTION CENTER | 225.00 |
| BUTLER MACHINERY COMPANY | 752.79 |
| CENEX FLEETCARD | 1,210.94 |
| CENTRAL BUSINESS SYSTEMS INC | 237.17 |
| CHS DAKOTA PLAINS AG | 646.08 |
| CITY VIEW FUEL | 77.57 |
| COMPUTER EXPRESS | 1,520.00 |
| COUNTIES PROVIDING TECHNOLOGY | 1,183.80 |
| D & B PORTABLES LLC | 50.00 |
| D VENTURE | 75.00 |
| DAKOTA VALLEY ELECTRIC | 94.09 |
| DIRECT ELECTRIC INC | 3,020.15 |
| EDGELEY MAIL | 52.00 |
| ESCOSUPPLY | 5,700.60 |
| FLATH/ROBERT | 300.00 |
| FLINT HILLS RESOURCES LP | 115,155.36 |
| GENERAL ROOFING & CONSTRUCTION | 12,580.00 |
| GOOD OIL COMPANY | 244.45 |
| GRAHAM TIRE ABERDEEN | 557.92 |
| HEARTLAND STATE BANK / VISA | 627.22 |
| HEIDINGER/KEITH | 496.32 |
| HENRY SCHEIN | 335.90 |
| HILLS CABINETRY & WINDOW DECOR | 3,383.67 |
| INFORMATION TECHNOLOGY DEPT | 1,286.85 |
| JOHN DEERE FINANCIAL | 244.94 |
| JOHNSON MFG INC | 9.60 |
| KLEIN/BRUCE | 415.12 |
| LAMOURE CHAMBER RETAILERS | 30.00 |
| LAMOURE CHRONICLE | 150.00 |
| LAMOURE COUNTY MUSEUM | 5,000.00 |
| LAMOURE COUNTY SOIL CONSERVATION DIST | 200.00 |
| LAMOURE DRUG STORE | 20.50 |
| LAMOURE FOODS, INC. | 119.58 |
| MAERTENS WELDING AND MACHINE CO | 42.26 |
| MERCK SHARP & DOHME CORP. | 287.17 |
| MIDSTATES EQUIPMENT & SUPPLY | 3,167.79 |
| MILLER/LEE | 397.44 |
| ND DEPARTMENT OF TRANSPORTATION | 37,003.54 |
| NDSU DEPT 3110 | 40.00 |
| NORTHWEST TIRE INC | 3,871.97 |
| OFFICE OF ATTORNEY GENERAL - 1250 | 1,555.00 |
| OTTER TAIL POWER COMPANY | 1,840.39 |
| OUTLET RECREATION | 1,450.00 |
| PITNEY BOWES | 456.00 |
| R.J.THOMAS MFG. CO., INC | 4,333.40 |
| RACINE/JULIANNE | 254.79 |
| RIDDLE/JESSICA | 40.00 |
| ROBBINS/KIMBERLY | 49.28 |
| SAFETY KLEEN SYSTEMS, INC. | 421.12 |
| SALAMANDER TECHNOLOGIES LLC | 1,510.00 |
| SOLINGER LUMBER | 284.30 |
| STURDEVANTS AUTO PARTS INC | 131.56 |
| STUTSMAN COUNTY CORRECTION CENTER | 2,325.00 |

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| TRUENORTH STEEL | 13,017.60 |
| VERIZON CONNECT NWF INC | 210.47 |
| VERIZON WIRELESS | 413.00 |
| VILLAGE FAMILY SERVICE CENTER | 1,500.00 |
| WALKER/DELIA | 45.00 |
| WARNE CHEMICAL & EQUIPMENT CO | 181.11 |
| WASTE MANAGEMENT | 1,368.79 |
| WEIGEL/JASON | 344.08 |
| WEX HEALTH, INC. | 83.00 |

There being no further business, Comm Heidinger made a motion to adjourn the meeting at 10:20 a.m., seconded by Comm Weigel. Meeting adjourned.

APPROVED THIS 7th DAY OF SEPTEMBER, 2021

LEE MILLER, Chairman

ATTEST:

JAN HAMLIN, County Auditor