

**OFFICIAL PROCEEDINGS OF THE LAMOURE COUNTY BOARD OF COUNTY COMMISSONER MEETING-
April 6, 2021**

The Board of LaMoure County Commissioners met Tuesday, April 6, 2021, with Chairman Lee Miller, Commissioners Bruce Klein, Bob Flath, Jason Weigel, Keith Heidinger, Highway Superintendent Josh Loegering, State's Attorney James Shockman, Deputy Auditor Shanel Bohnenstingl, Treasurer Cindy Worrel, Matt Lange with KLJ, and Art Hagebock from the LaMoure Chronicle at the courthouse. Attending by teleconference were DES/911 Coordinator Kimberly Robbins and Patty Wood Bartle from the Edgeley Mail. Absent was Auditor Jan Hamlin. 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. There were no additions. Comm Klein made a motion to approve the agenda, seconded by Comm Heidinger. Motion carried.

Comm Heidinger made a motion to approve the March 16TH minutes, seconded by Comm Weigel. Motion carried.

Highway Superintendent, Josh Loegering, gave his report. The county has started the township blading this week. Josh has purchased one front mounted disk for the motor grader and it works awesome so he has another one on the way. They are \$7,500 each. Josh hired six summer workers so he will have two crack sealing crews which will help cover a lot of miles. Josh said that he ordered approximately half of all the culverts for this year. He then said that he received a letter from the state on the 1st Street SE railroad crossing in LaMoure. The project is approved and the work will begin this summer. There is no mention of resurfacing the intersection with this project. The ten percent local share equals approximately \$19,250 for county and city. Josh ordered the new sign truck which will cost approximately \$108,000. The build date is for the end of September as of now but the date keeps getting pushed back. They have completed the bridge repair south of Verona and are working on the railing and beam repair on the Quast bridge NW of Dickey. Josh will send pictures of the completed work to the state. Once that is done, they should be able to lift the Code 3 restrictions. The crew is continuing crack sealing on CR 62. The crusher will be moved to the Schmoker Pit this week to start making chips. They are waiting on one part before it is moved. They will start installing culverts next week. There was some discussion on the township blading credit. Two townships are not having the county do their blading this year. They will still get the \$2,000 blading credit if they submit invoices for the work completed. State's Attorney James Shockman suggested there be a paper trail for tracking and auditing the credits for each township.

DES/911 Coordinator, Kimberly Robbins, started with the State Homeland Security Grant. The grant application is due April 30th. This is an annual grant through Homeland Security for counties, schools, cities, and special districts. LaMoure County Emergency Planning Committee met on March 31st. They recommended applications for: additional physical security enhancements for windows, additional cybersecurity equipment and software, and eligible radio purchases for the Sheriff's Department. Emails were sent out the schools, cities, and special districts encouraging them to apply.

Next was the fire emergency discussion. Commissioner Miller issued a Fire Emergency and Burn Ban on March 29th. The LaMoure County Commission Chairman does have the authority to enact a disaster declaration for seven days and after seven days it must be reconsidered by the entire commission, thus this declaration must be considered by the entire commission. Ms. Robbins explained the need to consider the emergency declaration that Comm Miller had but items that were not on the temporary declaration were an expiration date, what's included, total ban or not, and changing the fire danger rating level. Some information for the commission to consider is a fire danger rating level takes into account current and antecedent weather, fuel types, and both live and dead fuel moisture and is issued once a day. A Red Flag Warning is for high temperature/winds and low relative humidity is issued by the National Weather Service for a specific time frame. Open burning is in the North Dakota Administrative Code 33.1-15-01.26. The burning of any matter in such a manner that products of combustion resulting from the burning are emitted directly into the ambient air without passing through an adequate stack, duct or chimney. Kimberly recommended a motion for a Fire Emergency and Burn Ban to include no burning when the Fire Danger Rating is High, Very High, or Extreme and/or a Red Flag Warning is in effect until at least June 15th. The western part of the county is in the D2 for drought conditions and none of the county is in D3. The forecast is for drought conditions through June. Also, things to consider is the short-term moisture is less than an inch for the next couple weeks and number of fires calls for LaMoure County has been running high. Comm Klein asked if the governor has a state declaration. The governor does not have a declaration in place to allow access to State resources such as the Nation Guard yet, but it does not prohibit burning. All the neighboring counties have a burn ban. Comm Flath asked if putting this in place will give the county the power to charge people for fires when

they shouldn't be burning. Yes, if a burn ban is in place, it is a Class B misdemeanor maximum of 30 days in jail and with a fine up to \$1,500 (NDCC 37-17.1-10.1). A Local Burn Ban must be in place to get state resources. Comm Klein made a motion to put on a Fire Emergency and Burn Ban with the what's included and what's excluded language along with the Fire Danger Rating is in the High, Very High, Extreme and or a Red Flag Warning in LaMoure County with an immediate effective date through October 1, 2021, seconded by Comm Heidinger. Roll call vote: Comm Klein-yes; Comm Heidinger-yes; Comm Weigel-yes; Comm Flath-no; Comm Miller-yes. Motion carried.

FIRE EMERGENCY AND BURN BAN for **LaMOURE COUNTY, NORTH DAKOTA**

April 6, 2021

WHEREAS, LaMoure County previously declared a Fire Emergency with Burn Restrictions on March 29, 2021; and

WHEREAS, LaMoure County, North Dakota has endured dry spring conditions with no current snow pack compiled with high winds as well as continued forecasted dry weather conditions; and

WHEREAS, rural grass fires have already occurred as a result of the current conditions; and

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

WHEREAS, the impact of fires could threaten the health, well-being, and safety of citizens in LaMoure County; and

WHEREAS, the cost of response and the inordinate equipment wear may be far in excess of available County resources.

NOW, THEREFORE, BE IT RESOLVED, the Board of LaMoure County Commissioners affirms the Fire Emergency and Burn Ban effective when the North Dakota Fire Danger Rating is High, Very High or Extreme and/or a Red Flag Warning has been issued for LaMoure County, North Dakota effective immediately through October 1, 2021.

What's Included in the Burn Ban

Open Burning: Includes burning of leaves, grass clippings, garbage/pits, construction debris, fallen trees, crop residue or hay land, sloughs, and campfires/bonfires.

What's Excluded in the Burn Ban

Controlled Devices: Only when device (gas, charcoal, or wood-fired grills, patio fireplaces and chimineas, gas camp stoves, and smokers) is on a hard, non-organic surface and 15 feet away from vegetation and an extinguisher or water is available on site.

THE PENALTY FOR VIOLATION OF THIS BURN BAN IS A CLASS B MISDEMEANOR (NDCC 37-17.1-10.1: MAXIMUM SENTENCE OF 30 DAYS IN JAIL AND \$1,500 FINE).

The Fire Danger Rating Map is available at the following website:

<https://ndresponse.gov/burn-ban-restrictions-fire-danger-maps>

DATED at LaMoure, North Dakota this 6th day of April 2021.



Lee Miller, Chairman
LaMoure County Commission

Tammy Ibach, Director, and Robert Harms, Policy Advisor, with North Dakotans for Comprehensive Energy Solutions were next on the agenda. Tammy briefed everyone on wind energy. Windy energy is located in 26 counties in North Dakota. North Dakota ranks fourth in the nation for its share of electricity generated from wind. North Dakota is home to 32 commercial wind farms. Wind energy today is at about 4,600 megawatts. Lease payments to the average landowner is \$10,000 per turbine. Robert talked about the Grid Reliability Study data done by Great Plains Energy Corridor in conjunction with Bismarck State College. North Dakota is an electricity exporting state. North Dakota sends about 50 to 60 percent of electricity throughout the country. California is normally an electricity importer of electricity. We are hearing Texas went black because of failure of wind power but that simply is not true. What happened in Texas is they do not prepare for North Dakota weather. They don't prepare their generating systems for frigid temperatures. Natural gas, coal, nuclear, and wind all failed because they didn't winterize. That's what happened. The system in North Dakota is well designed and well

managed by SPP and MISO. The electric system reliability involves a number of entities, each with its own capabilities and scope of responsibility. Wind developing brings new economic opportunity to rural North Dakota that does not otherwise exist.

Break 9:55 a.m. to 10:05 a.m.

Comm Flath gave a report on the Memorial Park Streambank. This is a repair needed for the streambank by the museum. The original repair failed because they were unaware that there was a spring behind the repair. Comm Flath asked for three quotes. Seventy five percent of the project would be \$71,220 and covered by the Emergency Watershed Protection program through the USDA-NRCS. Twenty five percent of the project would be \$23,740 and the county share. The county would provide the rock fill and sand. This will bring the county share down. The design this time has a natural drain behind the rock for the spring. The work is planned to take place this summer. Comm Flath made a motion to move ahead with the lowest quote for the Memorial Park Streambank repair project with USDA -NRCS, seconded by Comm Klein. Motion carried.

The next topic was adding a credit card policy and procedures and fraud prevention and investigation to the employee handbook. State's Attorney Shockman has reviewed the policies and has approved both. Comm Heidinger made a motion to approve the credit card policy and procedures for the employee handbook, seconded by Comm Weigel. Motion carried. Comm Flath made a motion to approve the fraud prevention and investigation policy for the county to include notification to the County Auditor and if there is a criminal action the county auditor will turn over to the State's Attorney, seconded by Comm Klein. Motion carried.

Chairman Miller said there was a notification from the North Dakota Insurance Reserve Fund that they are going to return 6.3 million to the members. LaMoure County received a check yesterday in the amount of \$19,493.

Comm Heidinger made a motion to approve the bills, seconded by Comm Flath. Motion carried.

<u>Vendor Name</u>	<u>Amount</u>
ALL FLAGS, LLC	273.42
ALLARD TROPHY COMPANY	18.00
ALLIED ENERGY	464.47
BANKNORTH	580.00
BARNES RURAL WATER DISTRICT	63.00
BORDER STATES INDUSTRIES INC	1,669.89
CASS COUNTY HEATING INC	147.36
CENTRAL BUSINESS SYSTEMS INC	330.72
CITY OF KULM	75.03
CITY VIEW FUEL	159.76
COMPUTER EXPRESS	7,792.71
COUNTIES PROVIDING TECHNOLOGY	1,183.80
DACOTAH PAPER CO.	191.87
DAKOTA MAILING & SHIPPING EQUIP. INC	100.20
DICKEY RURAL COMMUNICATIONS	1,284.02
DUFFY/JESSICA	44.80
ECONOMY OIL INC	4,505.59
EDGELEY MAIL	154.33
GEINERT/JOSHUA	87.50
GLAXOSMITHKLINE PHARMACEUTICALS	5,737.69
GOOD OIL COMPANY	6,881.79
HAKUNA MATATA	79.50
HAMLIN/DALTON	245.70
HEARTLAND STATE BANK/VISA	1,386.43
HI-WAY SERVICENTER,INC	328.70
HILLS CABINETRY & WINDOW DECOR	3,383.68
KETTERLING/JACKIE	36.96
KLJ ENGINEERING LLC	22,146.58
KULM HARDWARE & HOME CENTER	9.98
KULM MESSENGER	445.50
KUSTOM MACHINE INC	441.28
LAMOURE CHRONICLE	1,387.48
LAMOURE CITY	186.81
LAMOURE DRUG STORE	64.17
LAMOURE FOODS, INC.	19.79

LAMOURE HARDWARE	1,468.22
LAMOURE PARTS CENTER	5,062.11
LEAF	336.10
MAERTENS WELDING AND MACHINE COMPANY	7,500.00
MERCK SHARP & DOHME CORP.	6,086.64
MIDSTATES EQUIPMENT & SUPPLY	585.46
NACCTFO	75.00
ND DEPARTMENT OF TRANSPORTATION	1,422.24
ND STATE RADIO COMMUNICATIONS	300.00
NDSU EXTENSION-STEELE COUNTY	25.00
NEWMAN SIGNS INC	823.35
NORMONT	885.14
NORTH DAKOTA PEACE OFFICERS ASSOCIATION	40.00
NORTHWEST TIRE INC	652.96
NORTHWEST TRUCK & TRAILER	212.95
PENGUIN MANAGEMENT, INC.	2,916.00
PEPSI-COLA	207.10
PRAXAIR DISTRIBUTION INC	63.41
PRINSCO, INC	6,162.00
PRODUCTIVITY PLUS ACCOUNT	396.44
QUILL CORPORATION	392.31
R & S COLLISION CENTER, INC.	290.88
RACINE/JULIANNE	249.76
RAMKOTA HOTEL	172.80
SAFETY KLEEN SYSTEMS, INC.	399.42
SANDNESS/SHANNON	7.84
SCHMOKER/MICHAEL	262.08
STURDEVANTS AUTO PARTS INC	131.56
STUTSMAN RURAL WATER DISTRICT	50.78
TRI-COUNTY NEWS	429.00
TRUENORTH STEEL	75,680.80
VAN EEDEN/CLARA	22.40
VERIZON WIRELESS	1,010.44
WEST END HIDE, FUR & METAL CO., INC	850.38
YOUNG INNOVATIONS	712.77
3D SPECIALTIES	656.63

There will be a Park Board meeting April 20 at 6:00 p.m. at the park.

There being no further business, Chairman Miller adjourned the meeting at 10:47 a.m.

APPROVED THIS 20th DAY OF APRIL, 2021

LEE MILLER, Chairman

ATTEST:

SHANEL BOHNENSTINGL, County Deputy Auditor