

**OFFICIAL PROCEEDINGS OF THE LAMOURE COUNTY BOARD OF COUNTY COMMISSIONERS
MEETING-Tuesday, March 7, 2023**

At 8:30 am Chairman Bob Flath called the meeting to order and opened with the pledge to the flag. Commissioners Jason Weigel, Lee Miller, and Bruce Klein were also present. Also attending were James Shockman, State's Attorney; Jan Hamlin, Auditor; Darrick Nitschke, Highway Superintendent; Matt Lange, KLJ; and Art Hagebock, LaMoure Chronicle. Attending virtually was Kimberly Robbins, DES/911 Coordinator. Absent was Commissioner Keith Heidinger.

Chairman Flath called for additions to the agenda. Comm Klein added legislative bills that have crossed over. Auditor Hamlin added set the County Tax Equalization meeting date. A motion was made by Comm Miller to approve the agenda, seconded by Comm Weigel. All voting aye, motion carried.

Chairman Flath called for a review of the minutes of the February 21, 2023 meeting and February 21 Park Board meeting. A motion was made by Comm Weigel to approve the minutes of both meetings, seconded by Comm Klein. All voting aye, motion carried.

Darrick Nitschke, County Highway Superintendent, gave an update to the board. He informed the commissioners that NDDOT has reviewed 144 applications covering 165 bridges and LaMoure County was approved for removing two bridges, one is two miles south and one mile east of Jud (23-108-10.1) and the other one is two miles east of Edgeley (23-119-18.0), and replacing the Albertson bridge by Grand Rapids (23-133-13.0). The next step is to start the RFP process. Matt Lange with KLJ said he talked with NDDOT and is looking into possibly doing another bundling of two replacements and one rehabilitation. The cost share would be 80% or 100%. The James River is under sovereign lands, so the permitting process has to go through the North Dakota Department of Water Resources, and it is taking nine months to a year for the permits. These will be 2024 projects.

Darrick went over the 2023 LaMoure County Highway Department price listings. He said there will be a 5% to 8% increase in prices. Salt and sand went up from \$35 to \$60 per yard. A copy of the new price sheet will be on file at the Highway Department. Comm Weigel made a motion to approve the changes as submitted by Darrick Nitschke, seconded by Comm Klein. Roll call vote: Weigel-yes; Miller-yes; Klein-yes; and Flath-yes. Motion carried.

There were two bids submitted for a new motor grader. Butler's bid is for a Caterpillar 150 full price \$480,509.08, less trade allowance \$101,900.00, for a balance of \$378,609.08 with no delivery date listed. RDO's bid is for a John Deere 772G full price \$424,000.00, less trade allowance \$105,000.00, for a balance of \$345,000.00 with an October 2023 delivery date. Both bids were for enhanced service coverage of nine years and 10,000 hours. Darrick will look the bids over, and make sure they have included all the attachments he requested. The commissioners will make a decision at the next meeting.

Darrick Nitschke, Robert Flath, and Tim Geinert were the selection committee that held interviews for engineers for the bridge bundle project. They interview three firms: KLJ, Huston, and Moore Engineers. They scored them, all the firms were qualified to do the work, and had good presentation. KLJ scored the best. The selection committee has decided to recommend KLJ for the project. Comm Klein made a motion to select KLJ for engineering for the bridge bundling project, seconded by Comm Miller. All voting aye, motion carried.

Matt Lange with KLJ has been working with Darrick and Kimberly on DR4660 PW56, which is the Spring Flood of 2022, FEMA site of a box culvert four miles north of Edgeley. They would like to replace it similar to what was done with the Kartes bridge. The first step is the engineer study explaining why it can't be rehabbed. It should be cover by FEMA at 80%. The engineer study costs \$9,000 which includes a written report and doing a site assessment. DES/911 Coordinator, Kimberly Robbins said there is no obligation to fix it but just a study to see what it would take to replace it. Kimberly also said the study would be covered 85% by FEMA and 15% local match.

Comm Weigel made a motion to continue with the KLJ Study for this project, seconded by Comm Miller. All voting aye, motion carried.

Since the Prairie Dog, HB1505, CVD funds, and federal aid funds are available; Matt had some discussion on 2023-2024 road projects to line up and complete. He went over some plans the former highway supervisor had proposed. He would like to see them bid out in May, so would like the commissioners to make their decision at the next commissioner meeting.

State's Attorney James Shockman, updated the commissioners on the Opioid Settlement. He started with saying we have been receiving a lot of communication from our council. The first part of the cases have already settled with Jansen and distributors with a total of \$4,091.33 total coming in to the county for the first part of the settlement. This is paid annually and the county is signed up for it. This will be ear marked separately since part of the terms for the settlement is that 85.5%, which varies by the companies and distributors, will need to be spent on opioid remediations projects. The county could spend up to 15%, which also varies by companies and distributors, outside opioid remediation, however extensive reporting would be required. The board consensus was to spend all of it on opioid remediations with suggestions for a plan from public health and law enforcement. James said that litigation is still going on and five other companies will settle the other portion of this law suit. They are Teva, Allergan, CVS, Walgreens, and Walmart. Their portion of the settlement is 18.52 billion. The first round of settlements were around 21 billion. James stated the recommendation from our attorney is to participate in this settlement and he would agree with that. Comm Weigel made a motion to opt in to the next round of opioid settlements with Teva, Allergan, CVS, Walgreens, and Walmart, seconded by Comm Miller. All voting aye, motion carried.

Auditor Hamlin suggested setting the LaMoure County Tax Equalization meeting for June 6, 2023 at 10:00 a.m. The commissioners agree that date will work.

Comm Klein went over some bills that are of interest to counties that have made the cross over which include: ND Public Employee Retirement System HB1040 and SB2239; Infrastructure has HB1379 and SB2275; Property Tax HB1211 and SB2136 and HB1245; Law Enforcement has HB1307 and SB2107; Social Service Zones has SB2012 and SB2367; Other bills of interest are HB1371. You can find this information on the NDACo website under the blog.

Comm Klein made a motion to pay the bills presented, seconded by Comm Weigel. All voting aye, motion carried.

<u>Vendor Name</u>	<u>Amount</u>
ALLIED ENERGY	548.02
BALCO UNIFORM CO INC	258.60
BANKNORTH	830.00
BARNES RURAL WATER DISTRICT	63.70
CITY OF KULM	81.46
CITY OF LAMOURE	175.50
COLE PAPERS INC	281.35
COMPUTER EXPRESS	2,174.95
COUNTIES PROVIDING TECHNOLOGY	2,500.00
DACOTAH PAPER CO.	272.13
DAKOTAVALLEY ELECTRIC	149.84
DICKEY RURAL COMMUNICATIONS	1,466.26
DICKEY RURAL NETWORKS	231.00
GLAXOSMITHKLINE PHARMACEUTICALS	515.57
GOOD OIL COMPANY	7,134.16
HEARTLAND STATE BANK/VISA	1,489.76
HENRY SCHEIN	373.40
HI-WAY SERVICENTER,INC	1,320.87
JOHN DEERE FINANCIAL	288.72
KULM GROCERY	42.46
KULM HARDWARE & HOME CENTER	22.77
KULM MESSENGER	70.00
LAGODINSKI/JAMIE	550.00
LAMOURE CHRONICLE	393.68

LAMOURE DRUG STORE	35.78
LAMOURE FOODS, INC.	313.05
LAMOURE HARDWARE	1,355.36
LAMOURE PARTS CENTER	2,152.47
LEAF	120.40
LINDE GAS & EQUIPMENT, INC	212.99
MAERTENS WELDING & MACHINE CO	647.03
MARQUART/ANDREW S.	180.00
MATTHEW BENDER & CO INC	72.60
ND ASSOCIATION OF COUNTIES	14.94
ND SAFETY COUNCIL	1,050.00
ND SHERIFFS & DEPUTIES ASSOCIATION	400.00
NDSU DEPT 3110	96.00
PHARMCHEM INC	127.80
PLUSOPTIX, INC.	295.00
PURCHASE POWER	2,015.00
QUILL CORPORATION	178.43
R&B MOTORSPORTS	8,999.00
RACINE/JULIANNE	103.49
RECORD KEEPERS LLC	7.88
STUTSMAN RURAL WATER DISTRICT	51.12
VERIZON WIRELESS	590.35

Chairman Flath adjourned the meeting at 10:05 a.m.

APPROVED THIS 21st DAY OF MARCH, 2023

ROBERT FLATH, Chairman

ATTEST:

JAN HAMLIN, County Auditor