

**OFFICIAL PROCEEDINGS OF THE LAMOURE COUNTY BOARD OF COUNTY COMMISSIONERS MEETING-
Tuesday, December 6, 2022**

At 8:30 am Chairman Bruce Klein called the meeting to order and opened with the pledge to the flag. Commissioners Bob Flath, Jason Weigel, Keith Heidinger and Lee Miller were also present. Also attending were Jan Hamlin, Auditor; Art Hagebock, LaMoure Chronicle; Karin Boom, acting Secretary; James Shockman, State's Attorney; Cindy Worrel, Treasurer; Sheriff Bob Fernandes; appearing remotely- Kimberly Robbins, Emergency Manager; Denice Porter, Tax Director; and Barry Toay. Also attending were Brian Pappas, Dean of UND Law School with Judge Narum and Billi Warcken, Clerk of Court; Mitch Carlson, LaMoure Community Development, Clint Hoggarth, LaMoure Mayor, Gina Haugen, LaMoure Chamber.

Chairman Klein began with board reorganization. A motion to nominate Comm Flath as chairman by Comm Heidinger, seconded by Comm Miller. Motion carried. No further nominations were offered. A motion by Comm Miller to cast a unanimous ballot for Comm Flath, seconded by Comm Heidinger Motion carried. Comm Klein will be PIO. Comm Heidinger offered a nomination of Comm Weigel as vice chair, seconded by Comm Klein. Motion carried. No further nominations were offered. A motion was made by Comm Miller to cast a unanimous ballot for Comm Weigel, seconded by Comm Heidinger. Motion carried.

Chairman Flath called for a motion to approve the agenda. A motion was made to approve the agenda by Comm Klein, seconded by Comm Weigel. Motion carried. Chairman Flath called for a motion to approve the minutes of the last meeting and the special meeting. A motion was made by Comm Weigel to approve the minutes of the November 15th and December 1 special meeting, seconded by Comm Miller. Motion carried.

Chairman Flath continued the meeting by inviting Brian Pappas, UND Law School to address the board. Brian Pappas is the new dean of the UND School of Law. Coming into this new role, he wants to tour every county in North Dakota and visit with their lawyers, judges, clerks, and elected officials. So far, he has visited 41 of our 53 counties and is hoping to visit them all by the end of the year. He is very interested in how we can do more to support our rural/small-town law practices across the state. He feels UND could offer more coursework involving ag law and general practitioners of law in small offices to foster graduates moving to small communities and becoming involved in the communities. Judge Narum and Billi Warcken also commented on the needs and functions of our courts.

Comm Klein reported that KLJ engineer Matt Lange had discussed with him another round of upcoming bridge funding with a tight application deadline. The new truck which had been approved and ordered is now not expected for delivery until 2024. The rest of the trucks are now all back in service. The applicants for Road Superintendent had been processed and the candidate offered to the board is Darrick Nitschke. He has previous experience in SD. A motion was made by Comm Klein to hire Nitschke, seconded by Comm Weigel. Motion carried. A motion was made by Comm Heidinger to remove Tim Geinert from the highway department credit card and add Darrick Nitschke, seconded by Comm Miller. Motion carried.

Chairman Flath reviewed an application for trenching on CR 34 submitted by Mike and Derek Brandenburg. The project would be for an electric line to a drainage pump. A motion to reject the application for failure to state a project start and end date and trenching was made by Comm Miller, seconded by Comm Klein. Commissioners Klein, Miller, Weigel and Flath were in favor, Comm Heidinger opposed. Motion carried. Brandenburg may resubmit the application.

Treasurer Cindy Worrel brought an in-house abatement proposal to the board for review. The abatement involved a 1.5-acre parcel corrected in 2020 but the computer program did not adjust the taxes for 2021 in the amount of \$1323.64. The property owners would apply it to the 2022 taxes if approved. A motion was made by Comm Weigel to accept the abatement presented and apply the refund to future taxes, seconded by Comm Miller. Motion carried.

Auditor Jan Hamlin gave the final election report. Canvass Board met and reviewed 5 ballots submitted to them. One ballot was counted and four were rejected. The total ballots accepted were 1663.

Beer and liquor license applications submitted by City View, Dakota Summers, and Edgeley Splicken Country Club were reviewed. A motion was made by Comm Heidinger to approve applications as submitted, seconded by Comm Weigel. Motion carried.

Tax Director Denice Porter and Barry Toay met with the board concerning an abatement for farm exemption by Toay. Toay had not submitted an application for exemption for the current year citing his understanding was that the income reported for two years would allow him a two-year exemption. Porter explained the process and the annual application requirement. Following a discussion with Toay, Comm Klein moved to deny the exemption due to failure to file prior to the deadline, seconded by Comm Miller. Motion carried.

A delegation involved with the LaMoure County Public Health building proposal met with the board. Jessica Duffy and Kimberly Robbins appeared remotely, Clint Hoggarth, Mitch Carlson and Gina Haugen attended in person. Hoggarth, Carlson and Haugen representing to the board that they were interested in a possible City/County partnership on a Public Health building downtown LaMoure. Hoggarth expressed that keeping the service downtown with other medical facilities in the mall would be advantageous to the citizens. Carlson said they would offer financial incentives and cooperation in site preparation. Carlson said the delegation would like to know what the plans are so they could actively participate in the project if it is in that location. Comm Heidinger expressed that more than LaMoure City residents use that service. Other departments in the county also have needs so the county has a lot of considerations to look at before making a decision on a building.

Sheriff Bob Fernandes was called on to discuss the policing contract with the City of Kulm. He explained that Kulm will be going through their ordinances and filing those with the state for enforcement. City ordinances would be subject to regular hours and the sheriff would not provide transportation or housing under the ordinances. The city may also contract with the state for court services. Either Kulm or the county can cancel the contract at any time. A motion to approve the contract was made by Comm Heidinger, seconded by Comm Weigel. Motion carried.

10:15 a.m.-10:30 a.m. Break. Meeting recessed from 10:30 a.m.- 11:05 a.m. for US Army Corps of Engineers web meeting on the National Inventory of Dams website and online tools for risk assessment and decision making.

State's Attorney James Shockman brought the requested proposed resolution to oppose the State Court taking over the Clerk of Court office in LaMoure County. Clerk of Court Billi Warcken said that the ND Supreme Court Chief Justice would be holding a town hall meeting in Ellendale on Thursday, December 8th to describe the proposal. A motion was made by Comm Weigel to approve the resolution as written, seconded by Comm Klein. Motion carried on roll call vote with Commissioners Weigel, Heidinger, Miller, Klein and Chairman Flath all voting yes.

The 5-County meeting will be held on December 8th at 4:30 p.m. at Hakuna Matata in Edgeley. Legislators are invited for discussion.

Future meetings for the coming quarter were set. Meeting dates are January 3 and 17, February 7 and 21, March 7 and 21, 2023.

NDSU Extension Agent Julianne Racine and NDSU District representative Dena Kemmet met with the board to give an update on the vacancy in the office. The vacant position would be changed from 4-H Coordinator to Family Community Wellness which encompasses 4-H but has enhanced offerings to other community interests. The district has multiple vacancies and it will be prioritizing those at an upcoming meeting.

The board discussed proposed drafts of a Public Health facility and a multipurpose county facility. A finance/action committee was appointed by Chairman Flath consisting of Roger Loegering, Comm Klein and Comm Miller. They were directed to consider possible financing, location, stakeholders and timeline and report back at the next meeting with preliminary findings.

Bills were reviewed. A motion was made to pay bills presented by Comm Heidinger, seconded by Comm Miller. Motion carried.

<u>Vendor Name</u>	<u>Amount</u>
ANDERSON BROS., INC.	271.88
AXON ENTERPRISE INC	1,220.00
BARNES RURAL WATER DISTRICT	72.05
BORDER STATES INDUSTRIES INC	608.00
BUILDERS MART	10.36
CENTRAL BUSINESS SYSTEMS INC	495.14
CITY OF KULM	80.09

COMPUTER EXPRESS	1,600.00
COUNTIES PROVIDING TECHNOLOGY	2,500.00
D & B PORTABLES LLC	150.00
DACOTAH PAPER CO.	348.00
DAKOTA CARRIER NETWORK	87.50
DAKOTA COUNTRY CONCRETE	3,601.00
DAKOTA SKID STEERS, LLC	461.03
DICKEY RURAL COMMUNICATIONS	1,192.06
DICKEY RURAL NETWORKS	231.00
DUFFY/JESSICA	28.13
ELECTION SYSTEMS & SOFTWARE, LLC	3,781.54
EVERSPRING INN & SUITES BISMARCK	345.60
FERNANDES/ROBERT	17.50
GOOD OIL COMPANY	12,235.75
GOOD/LAURIE	33.60
GRANDMA BLUE'S BAKERY & CAFE	250.00
HEARTLAND STATE BANK / VISA	2,956.96
HI-WAY SERVICENTER,INC	96.00
IAAO	480.00
JOHN DEERE FINANCIAL	36.01
JOHNSON MFG INC	6.60
K.P. SHOCKMAN TREE MOVING	1,424.00
KARTES/THOMAS	5,899.50
KLEVER/DARCY	69.38
KLJ ENGINEERING LLC	5,008.95
KULM HARDWARE & HOME CENTER	124.26
KUSTOM MACHINE INC	78.75
LAMOURE CHRONICLE	1,477.08
LAMOURE CITY	187.14
LAMOURE DRUG STORE	44.90
LAMOURE HARDWARE	1,044.85
LAMOURE PARTS CENTER	1,016.34
LAMOURE PRINTING COMPANY	612.77
LEAF	120.40
LINDE GAS & EQUIPMENT, INC	50.60
MAC'S HARDWARE	49.99
MONTANA DAKOTA UTILITIES	47.63
ND SOIL & WATER CONSERVATION SOCIETY	30.00
NDSU DEPT 3110	8.00
NELSON INTERNATIONAL	972.15
NOEL/JAMES	124.00
NORTH DAKOTA WEED CONTROL ASSOCIATION	625.00
OAKES TRUCK & TRAILER, LLC	514.55
OST BODY & PAINT	1,268.00
OTTER TAIL POWER COMPANY	68.71
PHARMCHEM INC	125.80
PRODUCTIVITY PLUS ACCOUNT	40.45
PROFESSIONAL DEVELOPMENT ACADEMY	1,645.00
PURCHASE POWER	3,025.00
QUILL CORPORATION	114.99
RACINE/JULIANNE	599.93
RAMADA BISMARCK	176.40
ROBBINS/KIMBERLY	25.00
SANDNESS/SHANNON	128.75
SANOFI PASTEUR INC	2,303.72
SCHMOKER/RON	9,941.75
SEEFELDT/PHILLIP	1,521.45
SHOCKMAN LAW, PLLC	2,995.90
SHOCKMAN/KEVIN	187.50
SOUTHEAST ND COUNTY COMMISSIONERS ASSOC	400.00
STOUDT MILLER, INC	126.19
STUTSMAN RURAL WATER DISTRICT	51.92
TEAM LABORATORY CHEMICAL CORP.	1,080.00
TRUENORTH STEEL	24,316.80
TYLER TECHNOLOGIES	4,269.26

VAN EEDEN/CLARA	6.25
VERIZON WIRELESS	956.35
WALK-N-ROLL	3,023.25
WALMAN INSTRUMENTS	31,645.00

12:30 Meeting adjourned.

APPROVED THIS 20th DAY OF DECEMBER, 2022

ROBERT FLATH, Chairman

ATTEST:

JAN HAMLIN, County Auditor