

# OFFICIAL PROCEEDINGS OF THE MCHENRY COUNTY BOARD OF COMMISSIONERS

November 7, 2023

9:00 AM

Chairman Nelson called the meeting to order. Commissioners Brady Nelson, Bryan Bruner, Duane Drader, Lance Johnson and Armann Anderson present. Also present were Matt Zelinski and Kristine Brodehl.

A motion was made by Armann and seconded by Bruner to approve the October 3<sup>rd</sup> and 26<sup>th</sup> minutes. Motion carried unanimously.

The board reviewed the amendment request from Effertz Key Ranch to change the zoning from ag to recreational on a new subdivision being proposed as Buffalo Lodge Cottage 6th Addition in Section 24-156-79. A motion was made by Johnson and seconded by Bruner to approve the request. Motion carried unanimously.

The board reviewed the variance application from Chad Rosencrans to build a 4-stall garage 18'4" from his property line on Lot 5 of Buffalo Lodge Cottage 3rd Addition in Section 24-156-79. It was noted there is an existing utility easement between his property line and the road. A motion was made by Drader and seconded by Johnson to approve the variance. Commissioners Drader, Bruner, Anderson and Johnson voting aye. Commissioner Nelson voting nay. Motion carried. The board also discussed the issue of a septic system being installed on this property, which is in violation of the county zoning ordinance. A septic permit was issued by First District Health Unit. Commissioner Nelson will discuss this with the States Attorney.

The board discussed the Welstad shelterbelt. As stated at the September 5<sup>th</sup> commission meeting, the trees adjacent to Co Rd 16 in the NW ¼ NW ¼ of Section 22-159-78 will be measured and all trees within the 66' right-of-way will need to be removed in order to retain federal funding for road maintenance and improvements. However, the zoning permit that was approved, required a 66' setback from the center of the road. The trees were measured at 63.5' from the center of the road. The board will contact the States Attorney to send a letter directing the removal of all trees that are within the 66' from the center of the road, which was approved in the zoning permit.

Community Service Coordinator, Lisa Coffman, met with the board to present her October report. She also informed the board her last day of work will be November 17<sup>th</sup>. The board expressed their gratitude for the work she has done.

Johnna Torr joined the meeting.

A motion was made by Anderson and seconded by Drader to approve a special event permit for Finishline Burgers and Brew to transfer their liquor license to an event at the Velva Wildlife Club on November 24<sup>th</sup>. Motion carried unanimously.

A motion was made by Johnson and seconded by Drader to approve the inmate board contract with Ward County. Motion carried unanimously.

A motion was made by Bruner and seconded by Drader to rescind the burn restriction that expired on October 31. Motion carried unanimously.

This being the time and place as advertised for the county land sale hearing, and with no one appearing in opposition, the prices will remain as set.

A motion was made by Johnson and seconded by Bruner to reissue lost instruments #1422 and #80918. Motion carried unanimously.

A motion was made by Drader and seconded by Anderson to approve abatements #1489-1505. Motion carried unanimously.

A motion was made by Bruner and seconded by Anderson to issue the proper deeds to Kenn A. and Lynette R. Simensen for the redemption of county property described as Blocks 3 and 4 in Second Addition to Upham; Dayna Speck FKA Dayna Yost for the redemption of county property described as Lots 7-10 of Block 8 in Original Balfour; Jacob Stiles for the redemption of county property described as Lots 1-2 of Block 4 in Larson's First Addition in Drake. Motion carried unanimously.

A motion was made by Bruner and seconded by Drader to issue the proper deed to Drake City for the sale of county land described as Lot 6 of Block 3 in Original Drake, and to cancel any remaining taxes. Motion carried unanimously.

The board received the quarterly report from the Emergency Manager.

Johnna Torr left the meeting.

Brad Murphy and Frank Anderson with RDO Equipment met with the board to present options on the expiring blade leases.

Jason Mayfield with Wold Engineering met with the board to discuss possible projects that would qualify for the Flexible Transportation Funding.

Lynn Kongsli, Alex Kasowski and Robert Kasowski met with the board regarding alternatives to purchasing overweight permits through the county. Robert asked the county to test the road to determine the weight it can handle. Lynn presented the county with an invoice for gravel on Co Rd 8. A motion was made by Johnson and seconded by Anderson to approve payment. Motion carried unanimously.

A consent motion was made by Drader and seconded by Anderson to approve the following: Treasurer's Miscellaneous Receipts #48063-48156; the monthly payroll in the amount of \$144,711.95 paid by warrant checks #27814-27858; Clerk of Court September County fees \$605.00, State fees \$16,691.92, Towner City \$20.00; Clerk of Court October County fees \$880.00, State fees \$14,304.42, ND Dept of Trust Lands \$225.00; County Recorder October recording fees of \$2,631.00 and misc fees of \$407.30; Sheriff September statement of fees \$1,256.00, Sheriff mileage \$1,013.00; Sheriff October statement of fees \$555.00, Sheriff mileage \$510.00, Deputy reports for Aug/Sept/Oct.

The board continued to audit bills until completed. A motion was made by Bruner and seconded by Anderson that the following bills be approved and the proper checks be issued thereof:

<b>Warrant</b>	<b>Paid</b>	<b>Reason</b>	<b>Amount</b>
87305	Advanced Business Methods	Copy machine lease-SA,Aud	3,732.98
87306	Amazon Capital Services	Shredder, office supplies	989.94
87307	AgriTec, Inc.	Diesel	82.02
87308	American Welding & Gas, Inc.	Cylinder rent	39.83

87309	Anderson, Armann	Mileage	68.78
87310	Bachmeier, Wyatt & Ashley	Temporary easement (BRP-2500(022)	100.00
87311	Bachmeier, Dale & Wanda	Temporary easement (BRP-2500(022)	100.00
87312	Bachmeier, Betty	Temporary easement (BRP-2500(022)	100.00
87313	Bottineau County Sheriff's Office	Prisoner medical expense	100.00
87314	Big D Excavating, LLC	Culvert installation, road repair	6,620.00
87315	Bismarck Hotel Conference Center	Lodging	481.50
87316	B & J Excavating, Inc.	Gravel Co Rd 10, Co Rd 8, Hougom	3,102.93
87317	Blue360 Media	ND Criminal & Traffic Law Manual	244.28
87318	Bruner, Bryan	Mileage	77.29
87319	Kristine Brummond	Registration for real property course	600.00
87320	Burckhard, Jackie	Mileage	30.13
87321	Cemex FleetCard	Gas-Sheriff dept	10,324.02
87322	Chadwick Electric LLC	Wiring	490.00
87323	Comfort Inn, Bismarck	Lodging	96.30
87324	Dacotah Paper Co.	paper towels, clorox wipes	80.61
87325	Davenport, Jim	meals	108.00
87326	Deering City	Shop Rent	5,400.00
87327	Dewanz, David	meals & lodging	576.00
87328	DK Service	Diesel, grease & gas	3,962.46
87329	DMC Wear Parts LLC	Cutting edges & wedges	5,873.34
87330	Dokken Automotive LLC	water pump, thermostat, oil change	814.59
87331	Drake city	November utilities for Drake shop	114.18
87332	Dakota Truck & Farm Service	U-joint Granville plow truck	26.99
87333	Domestic Violence Crisis center	1/2 Sept Victim/witness fees	175.00
87334	Enerbase	Diesel, gas & propane	10,009.03
87335	Envision	Diesel, propane, gas & refreshments	375.88
87336	Farden Construction Inc	Log jam removal	2,576.00
87337	Forum Communications Printing	Tax notices	3,019.28
87338	Farm & Home Publishers	plat books	340.00
87339	Fredrickson Auto	Windshield replacement	225.00
87340	Galls, LLC	Pants	129.27
87341	Gallagher	Compensation study	6,000.00
87342	Great Plains Directory	McHenry Co Plat Books	896.00
87343	Grilley Township	Load Pass Permit fees	16.74
87344	General Trading Company	Parts	89.15
87345	Golden west Industrial Supply	flashlights	519.72
87346	HACTC	Prisoner medical expense & boarding	21,332.53
87347	Hardware Hank	Janitorial Supplies	628.88
87348	Heringer Lumber	Toilet fill valve	11.99
87349	IAAO-Int'l Assn-Assessing Off	2024 Membership dues	240.00
87350	Ihry Insurance Agency, Inc	Insurance premiums	99.00
87351	ITD	Sheriff & Auditor	1,897.50
87352	John Deere Financial	Parts	1,578.63
87353	J & J Market	paper towels, toilet bowl cleaner	15.38
87354	JLG Architects	Courthouse renovations	2,294.24
87355	Johnson, Lance	Mileage	381.21
87356	Keller, Britney	Registration townships	650.00
87357	Keller, Robert	Snow removal courthouse & nurse's office	320.00
87358	Land Township	LoadPass permit fees	9.75
87359	Lautt's Auto Body & Towing, Inc	Impound	367.00
87360	Little Falls Machine, Inc	wing clevis	136.58
87361	Linde Gas & Equipment, Inc	Cylinder rent	84.23
87362	Matthew Bender & Co	ND Century code manual	320.11

87363	Mayo Construction, Inc	CP 2507 (023)HBP Russel South	33,520.61
87364	Mike's Body Paint & Glass	Impounds	365.00
87365	McHenry Co Treasurer	1 cent gas tax- 1st Qtr 2024	4,185.62
87366	McHenry Co Treasurer	Sheriff Sept & Oct fees	5,278.87
87367	McHenry Co Treasurer	2016 Ford Explorer Mileage	134.00
87368	Martin's Decorative Stones	1 box Epoxy for cthse front steps	300.00
87369	Merchants Bank	Execution payment 23-001x	500.00
87370	Steven & Diane Merck	Temp easement BRP-2500 (022)	460.00
87371	Motorola Solutions, Inc	radio system repair	1,500.00
87372	Mouse River Journal	legal publications	392.48
87373	Mouse River Oil Company	Diesel fuel, gas, fuses,	3,713.28
87374	Mike Swanson Construction	Courthouse renovations	32,850.00
87375	ND Dept of Corrections & Rehab	Transfer R. J	150.00
87376	NDAAEA	Dues	75.00
87377	NDACo Resource Group	Backup & Technology Support	287.86
87378	ND Dept of Transportation	BRC-BRS-0099 (012) bridge & load rating	570.51
87379	ND Telephone Co	Monthly 911 charges	41.14
87380	NDSU Extension	July 2023-Sept 2023	5,671.45
87381	ND 4-H Youth Dev	2024 4-H Dues	100.00
87382	Northern Plains Childrens Center	Registration	100.00
87383	Northwest Tire, Inc	Wheel	111.41
87384	Odin Township	LoadPass permit fees	49.25
87385	Office Depot	Office supplies	1,080.34
87386	OK Tire Store-Minot	4 tires	534.44
87387	Olson's Repair	grease	49.99
87388	Otter tail Power	Electric-crthse, memorial bld & shops	1,504.74
87389	Pharmchem, Inc	drug patch testing	255.60
87390	Power Plan	blade parts, maint service	15,476.75
87391	Powel, Tina	Mileage & meals	53.02
87392	Quadient Finances USA	poste meter lease	477.00
87393	Ramkota Hotel Aberdeen, SD	Lodging	231.00
87394	Ray Allen Mfg	Leashes, blank pistol, K9 supplies	1,265.85
87395	Ray Allen Mfg	K9 handler, sleeve, muzzle, ball	873.52
87396	Ramkota Hotel Conference center	Lodging	192.60
87397	Spring Grove Township	LoadPass permit fees	3.15
87398	Sidwell Harris Local Government	Annual GIS Web hosting	6,509.03
87399	Trey Skager	Lodging	3,658.36
87400	Smette Oil, Inc	Diesel fuel & gas	9,282.28
87401	SMP Health-St. Andrew's	Prisoner Medical	125.00
87402	State Radio Communications	July-Sept 911, LETS	25,685.34
87403	SRT Communications Inc	Phone, 911 service	1,001.82
87404	Steven's welding & machine	fittings & wing repair	463.69
87405	Tao Interactive Inc	Annual fee	599.95
87406	Towner Health & Wellness	States Atty office rent for November	832.00
87407	Thomas Law Firm	Attorney fees-health hearing	425.00
87408	Towner City	Utilities-cthse,Memorial Bldg, Nurse, shop	3,600.24
87409	Torr, Johnna	lodging, meals, mileage	356.52
87410	Trans Union Risk& Alternative data	fees-investigation	110.00
87411	Tony's Tire Service	tire replacement	163.00
87412	Tyler Technologies Inc	project management training	360.00
87413	Verendyre Electric	Granville Tower, Velva Shop, Buffalo Lodge	361.25
87414	Verizon Wireless	Sheriff, States Atty	744.98
87415	The Village Family Service Center	Annual EAP Contract	1,500.00
87416	Voltaire Township	LoadPass permit fees	49.25

87417	Wald, Rachel	Mileage, meals, conference	447.24
87418	Welsh, Ryan	Meals	943.00
87419	Westlie Motor Company	water pump replacement	3,357.45
87420	Ziegler Oil Company	Diesel fuel	2,148.42
87421	Zietz, Stephen	easement BRP-2500 (022)	100.00

At 2:25 PM, there being no further business to come before the board at this time, a motion was made by Bruner and seconded by Drader to adjourn. Motion carried unanimously.

ATTEST:

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Darlene Carpenter, Auditor

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Brady Nelson, Chairman