

## **Mercer County Commission Minutes June 21, 2023**

The meeting was called to order at 9:02 a.m. by Chairman Travis Frey. Present were Commissioners Jamee Folk, Rick Bauman, Gene Wolf, Liza Taylor, Auditor Carmen Reed, and Dan Arens of the Hazen Star. Others present during portions of the meeting were Deputy Auditor Gwyn Bosch, Tax Director Cyndi Zueger, Treasurer Dawn Grannis, Road Superintendent Ken Miller, Interstate Engineer Charlie Hankins, Sheriff Terry Ternes, States Attorney Todd Schwarz, Wes Klein, Erick Wedesky, Bill Galvin, and Randy Schantz.

Frey requested the following items be added to the agenda under other business; weed board reappointment, social services building update, sheriff purchase and auditor budget letter to entities. Folk moved to approve the agenda as amended. Taylor seconded. All voted aye. Motion carried.

Wolf moved to approve the June 7, 2023, minutes as presented. Bauman seconded. All voted aye. Motion carried.

Bauman made a motion to approve bills as presented. Folk seconded. All voted aye. Motion carried. The following bills were approved for payment. ARMOR INTERACTIVE \$1,881.00; BAKER, ADAM \$60.69; BAUMAN, RICK \$364.50; THE BEACON \$741.23; BEULAH LUMBER CO \$232.82; BUTLER MACHINERY CO \$279.94; CITY OF GOLDEN VALLEY \$29.75; CLIA LABORATORY PROGRAM \$180.00; DIRECT MED \$588.16; DOOLEY ENTERPRISES, INC. \$3,288.49; ELECTRONIC COMMUNICATIONS INC. \$3,966.00; FIRESIDE OFFICE SOLUTIONS \$832.33; FIRST SECURITY BANK - WEST \$15.00; FREY, TRAVIS \$66.50; GALLS, LLC \$255.95; HAZEN HARDWARE HANK \$19.99; HAZEN STAR \$1,150.00; HAZEN WELDING \$200.00; AUTO VALUE \$57.59; INFORMATION TECHNOLOGY DEPARTMENT \$5,424.54; INTERSTATE ENGINEERING INC \$95,435.80; J & M HARDWARE INC. \$290.95; JOHNSON CONTROLS \$3,175.00; KNIFE RIVER VETERINARY CLINIC \$160.13; LIEBOLD, SANDRA \$863.98; MERCER COUNTY HIGHWAY DEPARTMENT \$279.20; MIDCONTINENT COMMUNICATIONS \$170.24; MILLER, ASHLEY \$293.95; NAPA \$577.74; ND ASSOCIATION OF COUNTIES 911 \$892.95; ND DEPT OF ENVIRONMENTAL QUALITY \$45.00; QUADIENT FINANCE USA INC. \$1,000.00; NUTRIN AG SOLUTIONS, INC. \$2,320.00; PRO FORMS \$152.93; QUILL OFFICE PRODUCTS \$174.54; RDO EQUIPMENT CO. \$913.57; ROUGHRIDER ELECTRIC COOPERATIVE, INC. \$1,165.30; S & M LAWN SERVICE \$714.00; SAKAKAWA MEDICAL CENTER \$68.00; SENGER, SHANNAN \$66.22; SIGN SOLUTIONS \$909.95; STAPLES CREDIT PLAN \$744.24; STERICYCLE, INC. \$40.00; STRAND, CANDY \$90.49; THE GARDEN MILL LLP \$89.76; THE HUB CONVENIENCE STORES, INC. \$126.73; UNION STATE BANK \$25.00; WALKERS N' DAUGHTERS JEWELERS \$159.99; WEST RIVER TELECOMMUNICATIONS \$3,483.13; WIEDRICH, WARREN \$599.00; WOLF, GENE \$61.88; WORKFORCE SAFETY & INSURANCE \$411.30. (TOTAL \$135,135.45)

Cyndi Zueger, Tax Director/Land Use Administrator discussed the solar ordinance motion process. Commission can adopt, change or amend the purposed ordinance from the planning and zoning committee. If adopted, a notice will be published for two weeks by the auditor and a thirty-day comment period will

begin after the date of the first publication. All comments will be given to the auditor in writing and specify in detail the grounds of the objection and request a separate hearing. Eric Wedesky, Manager of Projects with IBV Energy Partners, spoke regarding the solar ordinance and solar energy.

Wes Klein discussed with the commission his concerns regarding an open meetings violation at the June 7<sup>th</sup> commission meeting that was connected to the solar ordinance. Klein discussed his concerns regarding the County Road 20 bridge closure project and associated state contract verbiage.

Recessed 10:29 am

Reconvened 10:35 am

Road Superintendent Ken Miller requested a motion to approve the resolution to accept the state low bid of Mayo Construction at \$2,331,819.24 for the County Road 27 north of Hazen to Highway 1806 project. Interstate Engineer Charlie Hankins discussed the funding and aspects of this project. Wolf made a motion to approve the resolution to accept the state low bid awarded to Mayo Construction. Taylor seconded. All voted aye. Motion carried.

Miller informed the commission of the \$25,000 bid that was made by Roadway Services, Inc. to conduct needed road maintenance on County Road 7. Taylor made a motion to approve this bid from Roadway Services, Inc. to conduct road maintenance on County Road 7. Wolf seconded this motion. Taylor, Wolf, Folk and Frey voted aye, Bauman nay. Motion carried. Miller requested a six-month extension (July 1, 2023, – December 31, 2023) to use vacation time that was lost due to inclement weather in December 2022. State's Attorney Schwarz and the commission discussed these special circumstances. Folk made a motion to allow these employees a six-month extension to use their lost vacation due to inclement weather. Bauman seconded. Folk, Bauman, Taylor and Frey voted aye, Wolf nay. Motion carried. Hankins requested County Road 20 right-a-way plat approval pending permission from resident that should be approved next week. Wolf made a motion to approve the County Road 20 right-a-way plat pending resident permission approval. Folk seconded. All voted aye. Motion carried.

Sheriff Terry Ternes discussed Youth Bureau Department changes that have been made due to Michelle Anderson vacating the director position. Commission Bauman also stated that over the weekend the sheriff's office auctioned off approximately \$10,000 worth of guns and would like to buy new guns with this money for officers, since their current guns are far past the five-year replacement state standard. The old guns will be sold for \$10,000 which in turn will be put back into the general fund. Bauman made a motion to approve the purchase of new duty weapons with accessories for sheriff's officers. Taylor seconded. All voted aye. Motion carried.

States Attorney Schwarz discussed the draft county special assessment district procedure with the commission. It was emphasized that before the county can be part of any special road assessment like what Sakakawea Estates Association is requesting, the county will need to have a procedure in place. Wes Klein

stated that he thought the county already had this procedure in place. Commission agreed to put this back on the agenda for next meeting. Chairman Frey requested decision to be made regarding the solar ordinance. After some discussion it was decided to move forward and approve this ordinance. Wolf made a motion to approve the solar ordinance as presented from the planning and zoning board. Taylor seconded. Wolf aye, Taylor aye, Folk aye, Bauman nay, and Frey aye. Motion carried.

Wolf made motion to approve Dewey's Liquor License #461 that will be in effect from July 28, 2023, through July 29, 2023 for the Dakota Walleye Classic Fishing Tournament. Folk seconded. All voted aye. Motion carried.

Frey discussed sales tax information available at the state in the "red book." In order to access some of these sales taxes we would have to become a home rule charter. State's Attorney Schwarz discussed his findings on what home rule charter would entail if this is something the commission wants to look into.

Wolf made a motion to approve the re-appointment of Ryan Flemmer on the Weed Board. Bauman seconded. All voted aye. Motion carried.

Reed informed the commission that she will be showing the social services building on Saturday, June 24, 2023, to an interested buyer.

Taylor stated that the ambulance board was confused by the 2024 budget letter that was sent out by the Auditor. Reed agreed to simplifying this letter, and resending it out.

Portfolio Updates were given.

There being no further business the meeting was adjourned at 12:11 p.m. The next regular meeting is scheduled for July 6, 2023, at 9:00 a.m. in the boardroom of the Mercer County Government Center in Stanton, North Dakota. The meetings can be viewed online at [www.mercercountynd.com](http://www.mercercountynd.com)

Approved: \_\_\_\_\_  
Travis Frey, Chairman

Attest: \_\_\_\_\_  
Carmen Reed, Auditor