

**OFFICIAL PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
OF EMMONS COUNTY, NORTH DAKOTA
AT IT'S REGULAR MEETING
JANUARY 7, 2025**

County Auditor, Marlys Ohlhauser, called the reorganizational meeting to order at 9:00 A.M., with Commissioners James Gartner, Erin Magrum, Dan Materi, Craig Miller and James Vander Vorst being present.

The Pledge of Allegiance was recited.

County Auditor, Marlys Ohlhauser, opened nominations for the 2025 Chairman. Commissioner Magrum nominated Commissioner Materi. Commissioner Materi nominated Commissioner Gartner. Commissioner Vander Vorst nominated Commissioner Miller. The Commission voted by paper ballot and Commissioner Materi, receiving the highest number of votes, was declared Chairman for 2025.

Chairman Materi opened nominations for the 2025 Vice Chairman. Commissioner Magrum nominated Commissioner Miller. Chairman Materi nominated Commissioner Gartner. The Commission voted by paper ballot and Commissioner Miller, receiving the highest number of votes, was declared Vice Chairman for 2025.

Commissioner Vander Vorst motioned to approve the minutes of the December 3, 2024 regular meeting. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the agenda with the addition of zoning ordinance update, Morton County Road Committee, culverts and blading. Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Old and Unfinished Business:

Further discussion was held regarding policy and procedures in the county's employee handbook for employees who are active volunteer firefighters/EMS, and whether permission be granted to these employees to respond to calls during regular working hours. The commission agree that employees should be able to volunteer as firefighters/EMS with approval from their supervisor with some compensation, and will work on a rough draft on amending the employee handbook with States Attorney Joseph M. Hanson. Further discussion will be held at the February 4, 2025 meeting.

Tabled was the farm equipment damage from road project (rock and ruts in field) pending information from the NDIRF Insurance adjuster.

New Business:

Commissioner Magrum motioned to appoint or re-appoint the following board members:

County Park Board – Andrew J. Reis
County Park Board – Dean Weiss
Weed Board – Sterling Larson
Weed Board – James Nagel
Water Board – Richard Keller
Public Health Board – Erin Magrum
Emmons County Housing Authority – David Moch
County Committee – Steven Nieuwsma

Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to re-appoint Marlys Ohlhauser to the South Country Human Services Board. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Vander Vorst motioned to appoint or re-appoint the following officers:

Director of Tax Equalization – Christina Seppanen
VA Officer – Brad Huber
Risk Manager – Marlys Ohlhauser
911 Coordinator – Gary Sanders

Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Acacia Stuckle and Nancy Deis, Extension Agents, provided a quarterly narrative report. Commissioner Vander Vorst volunteered to be assigned the portfolio for the Emmons County Extension Agents, and will participate in their performance reviews.

Eric Hoberg, Napoleon Economic Development, and Jim Guler, Moore Engineering, Inc., appeared and presented information regarding a potential Irrigation project that they've been working with the Department of Water Resources on that would bring water out of the Missouri River into Logan County for Irrigation. Hoberg stated that Logan County currently has about 6,000 acres that could be productive with the use of irrigation. If a

pipeline is run through Emmons County from the Missouri River, Logan County could increase that acreage to 66,000.

In order to make a request for the irrigation to become a project that the state would consider was to form an Irrigation District which meant that you need a comprehensive study, and you need 51% of the potential landowners to sign a petition. Eric Hoberg collected the signatures for the petition identifying the area on lands that would be good for irrigation. A draft study conducted by Moore Engineering, Inc. was submitted to the state. The cost of the study is approximately \$200,000. There is a cost share program with the state for 75% of the cost with a local cost share of 25% if partnered with a county.

During discussion, it was noted that the Horsehead Irrigation District that was formed years ago has become active again where two meetings were held. Eric Hoberg will be reaching out to the district.

Jim Guler approached the Commission about a joint effort or to team up in some capacity as the pipeline project would run straight through Emmons County. Commissioner Magrum asked if there was a preliminary design or a rough draft? Also, having a rough pipeline size and knowing a rough depth of the pipeline are questions that are going to be asked by the landowners.

Commissioner Magrum questioned whether the water moving through the pipeline would be considered potable due to recent updated zoning ordinances. Another question asked by Commissioner Magrum was are there plans on adding outlets to the pipe with the idea that you could add irrigation for Emmons County? Eric Hoberg stated that he's hoping to design this project so that they can service all of the land in Emmons County and Logan County that's irrigable.

VA Officer, Brad Huber, appeared and gave his quarterly report.

Commissioner Gartner motioned authorizing the Chairman and the County Auditor to sign the County Deeds conveying the county's interest in tax deed property as follows:

Anthony J.P. LaFond and Samantha A. Fond – Lots Ten (10), Eleven (11) and Twelve (12), Block Two (2), Dillman's Addition to Strasburg City, Emmons County, North Dakota.

City of Strasburg – Lots One (1) and Two (2), Block Fifteen (15), Milwaukee Land Company's Second Addition to Strasburg City, Emmons County, North Dakota.

City of Strasburg – Lots Three (3) and Four (4), Block Fifteen (15), Milwaukee Land Company's Second Addition to Strasburg City, Emmons County, North Dakota.

Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to remove Kathleen Dosch and add Robin Mosset to have authorization to sign on the Clerk of Court/Recorder checking account at BNC National Bank. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

The Commission directed Auditor, Marlys Ohlhauser, to reach out to Tanya Wieler, to propose a limited contract for Human Resource Consulting.

Russell Lawler, Road Superintendent, reported on activities for the county road department.

Time card processing discussion was held. Equipment is being moved to repair the bridge in the SE ¼ of the NE ¼ of Section 28 of Township 133, Range 75, approximately 5.5 miles east and 2 miles north of Linton, ND. The Commission noted positive comments received from the public on the recent blading done to the roads. Discussion was held regarding the tar tank owned by the county and if they would sell tar to cities where Russ Lawler commented that he will do some research and report back.

Commissioner Vander Vorst, Commissioner Miller and Road Superintendent, Russell Lawler, attended a meeting at Morton County and reported that they have a good system where two commissioners, road supervisor and a couple of citizens from the community meet to discuss road matters/projects, and bring their ideas and recommendations before the commission at their regular meeting. Chairman Materi and Commissioner Gartner will be attending the next meeting at Morton County on January 15, 2025.

Commissioner Gartner motioned to approve the building permit for Orville Dykema to erect a 34 X 30 residence with a 54 X 30 attached garage on the SW ¼ SW ¼ of Section 21, Township 129, Range 77. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Materi, Miller and Vander Vorst. Magrum abstained from voting due to conflict of interest.

Commissioner Magrum motioned to approve the application for abatement or refund of taxes for parcel #52-0006-00523-000 for tax year 2024. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to adopt the following Resolution:

WHEREAS, the bid in the amount of \$1,182,691.99 from Industrial Builders, Inc. received in the bid opening of December 13, 2024 for Project BRJ-0015(021) was the low bid received.

WHEREAS, this bid is considered reasonable.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Emmons County will award to Industrial Builders, Inc. the contract for Project BRJ-0015(021) and hereby authorizes the Chairman of the Board to sign said contract.

It is further understood that the County shall reimburse the North Dakota Department of Transportation for any payments made under this contract, which are not collectible from the Federal Highway Administration.

DATED at Linton, North Dakota this 7th day of January, 2025.

ATTEST:
s/s Marlys Ohlhauser
 Emmons County Auditor

APPROVED:
s/s Daniel Materi
 Emmons County Chairman

Seconded by Commissioner Gartner. Roll Call “YES”: Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to hire Wold Engineering, P.C to perform construction engineering for road project BRJ-0015(021) PCN 23706, replacement of structure No. 15-131-31.1, located 3 miles north and 9 miles east of Strasburg, ND on Section 4 and 5, Township 131, Range 74. Seconded by Commissioner Vander Vorst. Roll Call “YES”: Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Vander Vorst commented that the stinger bits on the blades have really improved the roads. Also mentioned was the culvert on 14th Ave SE near Dennis Haan’s needs to be repaired.

Commissioner Miller brought forward the Zoning Ordinance Manual that needs to be updated. Further discussion will be held at the February regular meeting with States Attorney, Joseph M. Hanson.

The Commission reviewed a letter from the office of State Tax Commissioner congratulating Director of Tax Equalization, Christina Seppanen, on a successful review of the Emmons County agricultural land valuation methods. Emmons County is fully compliant with North Dakota Century Code #57-02-27.2(8).

Commissioner Magrum motioned to appoint Commissioner Gartner as a member to the Community Action Program Region VII Board of Directors. Seconded by Commissioner Miller. Roll Call “YES”: Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

The following payroll and expense for reimbursement vouchers were examined, approved and ordered paid:

General and 911 – Voucher Numbers LP16644 – LP16668, LP16707 – LP16710, Payroll - \$110,693.62
 Highway Tax – Voucher Numbers LP16711– LP16719, LP16669, Payroll - \$48,104.65

The following vouchers were reviewed and approved for payment:

45792	MDU	Utilities	152.07
45796	CNH Industrial Accounts	Inspection and Repairs	7,833.11
45873	Advanced Business Methods	Extension Copier Contract	424.09
45874	Auto Value Linton	Parts/Supplies	661.46
45875	Beastrom Oil Co.	Propane	1,848.50
45876	Braaten Law Firm	Legal Service	968.00
45877	Burleigh Morton Detention Center	Prisoner Billing	3,200.00
45878	Butler Machinery Co.	Parts	3,205.44
45879	Central Dakota Six County Org.	Dues	300.00
45880	CHS, Inc.	Propane	806.00
45881	Hazelton City	Water Bill	36.00
45882	Linton City	Water Bill	84.61
45883	Comstock Construction, Inc.	Courthouse Project	49,053.46
45884	D & E Supply, Inc.	Supplies	99.74
45885	Dakota Dust Tex, Inc.	Service	233.25
45886	Deere Credit, Inc.	Tractor Rental	5,600.00
45887	DMC Wear Parts, LLC	Parts	8,621.34
45888	Electronic Communications, Inc.	Programming	450.00
45889	Emmons County Record	Publishing	646.18
45890	Emmons County Treasurer	Dues/Supplies/24-7	109.00
45891	Emmons County Treasurer	Postage	2,732.26
45892	Emmons County Treasurer	Special Assessments – Strasburg Shop	778.17
45893	Fireside Office Products	Supplies	197.84
45894	Governsoft	Software	16,424.00
45895	Hanson, Joseph	Attorney License Renewal	395.20
45896	Harry Petrie Library	Contribution	2,500.00
45897	HP, Inc.	Computer	1,308.69
45898	Information Technology Dept.	Internet Access & Netmotion	1,630.85
45899	Innovative Office Solutions	Toner	206.62

45900	Jerome Distributing, Inc.	Water Refills	69.50
45901	Keller's Hardware	Supplies	17.95
45902	KEM Electric	Utilities	369.52
45903	Kramer Electric	Service	740.20
45904	Lewis & Clark Reg. Development	Dues	6,625.84
45905	Lexipol LLC	Law Enforcement Manual	5,393.95
45906	Linde Gas & Equipment, Inc.	Parts	402.10
45907	Linton Auto Parts	Parts/Supplies	1,620.31
45908	Linton Fire Dept.	County Contribution	2,500.00
45909	Martin Oil Co.	Gas	520.46
45910	Midwest Investigation & Security	Alarm Monitor	130.00
45911	MDU	Utilities	1,944.77
45912	Moos Repair & Sales	Seal Kit	9.50
45913	Mountain Plains Youth Service	Attendant Care Contract	1,750.00
45914	NACO	Dues	450.00
45915	Nodak True Value	Supplies	216.34
45916	North Central International LLC	Parts	90.51
45917	NDACO	Dues	7,224.00
45918	NDACO Resources Group, Inc.	NRG Secure Cloud	1,212.00
45919	ND County Auditor/Treas. Assn.	Dues	400.00
45920	ND County Commissioners's Assoc.	Dues	1,725.00
45921	ND 911 Association	Dues	100.00
45922	ND State Surplus Property	Chairs	100.00
45923	Pahlke Steel	Window Guards	555.13
45924	Payment Remittance Center	Gas/Fuel/Supplies	549.63
45925	Payment Remittance Center	Gas/Fuel/Supplies	791.93
45926	Payment Remittance Center	Gas/Fuel/Supplies	563.17
45927	Payment Remittance Center	Gas/Fuel/Supplies	394.63
45928	Payment Remittance Center	Gas/Fuel/Supplies	128.86
45929	Payment Remittance Center	Gas/Fuel/Supplies	396.34
45930	RDO Truck Center	Parts	699.57
45931	Renschler, Norman	Maintenance to Rice Lake	380.00
45932	Rigging and Tools, Inc.	Material for Schwab Bridge	688.23
45933	Sanders, Gary	Reimbursement for 6 Tier Rack	299.98
45934	Sayler Implement, Inc.	Filters	1,375.06
45935	Schneider, Jackie	Food Pantry	500.00
45936	Softchoice Corp.	Office Standard	319.96
45937	South Central Regional Water	Water Bill	76.80
45938	Specialty Sling Company	Material for Schwab Bridge	556.80
45939	Strasburg Fire Dept.	County Contribution	1,000.00
45940	Strasburg Insurance Agency, Inc.	Notary Public	50.00
45941	TC Specialties	Service	114.00
45942	TK Elevator Corp.	Elevator Maintenance Contract	2,083.73
45943	Tower Communications	Tower Rent	600.00
45944	Tri-County Exhibitors	Contribution	2,000.00
45945	Tyler Technologies	Software	5,385.00
45946	Verizon Wireless	Cell Service	412.75
45947	Walk N Roll	Parts	6,842.06
45948	Warrens Locks and Keys	Digital Key Pad	240.00
45949	Wold Engineering, PC	Engineering Services	65,316.25
45950	Wolbaum, Kenneth and Connie	Gravel Lease	356.50
45959	BNC National Bank	Box Rent	15.00
45960	BEK Communications	Telephone Service	3,122.17
45961	Strasburg City	Water Bill	92.56
45962	ODP Business Solutions	Supplies	118.41
45963	Quadient Finance USA, Inc.	Postage	4,000.00

There being no further business before the board, Commissioner Miller motioned to adjourn the meeting. Seconded by Commissioner Vander Vorst. The meeting adjourned at 12:55 P.M.

Approved: February 4, 2025.

Daniel Materi, Chairman
Board of County Commissioners

Marlys Ohlhauser
Emmons County Auditor

