OFFICIAL PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
OF EMMONS COUNTY, NORTH DAKOTA
AT IT'S REGULAR MEETING
SEPTEMBER 2, 2025

Chairman Dan Materi called the meeting to order at 9:00 A.M. with Commissioners James Gartner, Erin Magrum, Craig Miller and James Vander Vorst being present. Also present was States Attorney, Joseph M. Hanson.

The Pledge of Allegiance was recited.

The August, 2025 end of month fund balance report and the year to date expenditure reports were distributed to the board.

Commissioner Vander Vorst motioned to approve the minutes of the August 5, 2025 regular meeting and the August 12, 2025 special 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 gravel update. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

<u>Old and Unfinished Business:</u>

Commissioner Miller asked States Attorney, Joseph M. Hanson, if bills were sent to the suspects for the costs incurred by the county in suppressing the Glencoe Fire on April 12, 2025 where Mr. Hanson replied that he did send out the letters.

<u>New Business:</u>

As advertised, at 9:15 A.M., a public hearing was held to receive public comment and direction in regards to a Petition to close the section line described as follows: a portion of the section line, lying between Parcel No. 27-0000-03703-000 and Parcel No. 27-0000-03722-010. Specifically, the portion of the section line from the Southwest Corner of Section 17, Township 132, Range 76, and running East until it reaches the east edge of Parcel No. 27-0000-03804-020. The portion of the section line to be closed is approximately 780.7 feet, and the land on the north side is owned by Kenneth and Doris Jochim. Said petitioner hereby petitions the Emmons County Commissioners to close the above-described section line between the above-described property, pursuant to NDCC 24-07-03.

Chairman Materi opened the public hearing and asked Petitioner, Kenneth Jochim, to come forward to explain his reasoning for petitioning to close the section line. Mr. Jochim commented that he's not trying to cause problems nor step on anyone's toes as he just wants to plant some trees on a section line that leads to nowhere. "There's waterways and no approaches, so in order to get to land you have to drive on private property." The section line is encroached upon with tires and concrete, and Mr. Jochim just wants everyone to follow the same rules. There's a thirty-three-foot easement from the center of the section line, and he doesn't have a problem with anyone using the section line so long as everyone follows the thirty-three feet rule.

Commissioner Magrum stated that the section line was probably never developed or utilized because it dead ended to the railroad, and now that the railroad is gone, the road could become more usable.

Commissioner Gartner stated that if somebody told you to go out and drive this section line, you would struggle on trying to figure out where to drive.

Mark Andresen, son-in-law of landowners Leo and Carol Bosch, was present and stated that their main concern is getting access to a piece of property which is a huge amount of their acreage. This section line is the only access to a portion of their property from Highway 83. There's a spillway behind their barn for access, but when the river floods the only access is this section line. Mr. Andresen concluded that the county re-builds this section line to fit everyone's needs and requested that the petition to close the section line be denied.

Present was Leo Bosch who suggested that the county blade the road making the section line straight so it's drivable, and install a culvert so nobody has to drive on other people's property to access their property.

Commissioner Magrum motioned to deny the Petition to close the section line. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned that proper notification be sent to the landowners that encroachments have to be removed off the section line right of way. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Vander Vorst motioned to approve the building permit for Tanner and Natasha Dosch to build a 28 X 46 family lake cabin on Lot 5 of Lot 46A Walther's Subdivision and easement area in Section 23, Township 132, Range 79 contingent upon approval from Western Plains Public Health for their septic and drain field permit application. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the application for abatement or refund of taxes for parcel #52-0013-00783-000 for tax year 2025. Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to approve the building permit for AT&T Mobility to upgrade their equipment on the existing cell tower located on the W ½ W ½ of Section 26, Township 130, Range 79. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

The Central Dakota Six County Commission meeting will be held on September 9, 2025 at 10:00 A.M. at Carrington.

Commissioner Gartner motioned to approve the building permit for Andrew Vetter to construct a 55 X 46 home with a 38 X 26 attached garage on the Southwest corner of Section 1, Township 132, Range 74. Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Vander Vorst motioned to approve the application for a local raffle permit for District 8 Republican Party of North Dakota. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Jon Martin, Civil Engineer for Wold Engineering, P.C., is submitting three projects for flex grant funding for years 2026 and 2027. Presented were two options for funding project #1, 17th Avenue SE grade raise north of Braddock where the Commission agreed to apply for funding using option #2 funding 51% of the construction costs with Federal Aid Funds and funding the remainder 49% of construction costs plus 100% of the engineering with flex grant funds. The engineer's estimate for this project is $2,912,465.

Russell Lawler, Road Superintendent, provided a monthly update on activities for the county road department. There were hands on and classroom training at the county shop for the new operators for pulling shoulders. Also, four employees attended a class in Fargo for installing culverts. The county was approved for an energy grant through the ND Department of Commerce for spray foam insulation, repairing the chimney and a wall and for new LED lighting in the Strasburg shop and new LED lighting at the Linton shop. The board reviewed a quote from RTS Shearing, LLC for crushing and stockpile gravel. There was some discussion regarding a request for temporary cattle crossings.

Commissioner Magrum motioned to approve the Utility Permit for South Central Regional Water District to install 10" and 12" PVC Pipeline for service to Napoleon MTL Expansion. Four Crossings, 78th St. SE, 17th Ave SE, 79th St. SE and 23rd Ave SE and to approve the Utility Permit for KEM Electric Cooperative to bore underground primary cable under gravel roadway at a minimum depth of 48" from the intersection of 69th St. SE and 23rd Ave SE. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

The agenda included an opportunity for an individual in attendance to provide public comment pursuant to Senate Bill No. 2180.

The board reviewed a preliminary budget proposal for the year 2026 prepared by County Auditor/Treasurer, Marlys Ohlhauser, for the general fund and each special revenue fund with detailed breakdown of estimated revenues and expenditures for the preceding year, current year and ensuing year and the appropriations requested. A budget hearing is scheduled for October 7, 2025 at 6:30 P.M.

PRELIMINARY BUDGET OF EMMONS COUNTY
NORTH DAKOTA
CALENDAR YEAR BEGINNING JANUARY 1, 2026

GENERAL GOVERNMENT	
County Board	**192,890.71**
State's Attorney	**277,332.19**
Clerk of Court/Register of Deeds	**315,327.06**
Sheriff	**920,047.55**
County Coroner	**3,600.00**
Auditor	**362,635.55**
Treasurer	**185,379.57**
Motor Vehicle	**5,000.00**
Director of Tax Equalization	**198,248.24**
Veterans Service	**41,215.31**
Maintenance	**96,822.70**
Superintendent of Schools	**3,100.00**
Risk Management	**3,300.00**
GIS Coordinator	**83,611.43**
Extension Agent	**173,667.32**

Disaster of Emergency Services	**34,209.80**
Planning Commission	**5,000.00**
Community Service Restitution Program	**4,800.00**
Utilities	**30,000.00**
Courthouse Building and Grounds	**50,000.00**
Examination Fees	**32,000.00**
Elections	**38,400.00**
NDACO	**7,409.00**
Unemployment Compensation	**3,000.00**
Miscellaneous	**20,000.00**
Copier Expense - Extension	**6,000.00**
Copier Expense - Clerk of Court	**1,800.00**
Advertising - Lewis and Clark Regional Development	**5,359.79**
Wellness Sanford Health	**2,000.00**
Technology	**130,700.00**
Neopost Rent	**3,000.00**
Abandoned Cemetery	**3,500.00**
Insurance Reserve/State Fire/Workers Comp.	**110,000.00**
County Park	**77,500.00**
Indirect Costs for Human Service	**250,000.00**
Food Pantry Coordinator	**6,000.00**
911 General	**46,874.72**
Human Resource Consulting	**5,000.00**
TOTAL GENERAL FUND BUDGET/APPROPRIATION	**3,734,730.94**
Amount to be Levied for General Fund	**2,025,001.11**
Amount to be Levied for County Agent	**88,403.90**
Amount to be Levied for Veterans Officer	**41,549.83**
Appropriation for County Road and Bridge	**1,033,526.39**
Amount to be Levied	**500,000.00**
Appropriation for Federal Aid	**186,324.56**
Amount to be Levied	**0.00**
Appropriation for Highway Tax	**936,800.00**
Appropriation for Unorganized Road District	**1,879,050.00**
Amount to be Levied	**696,951.65**
Appropriation for Permit Fund	**2,500,000.00**
Appropriation for Prairie Dog/House Bill 1066	**1,198,000.00**
Appropriation for Flex Funding	**2,000,000.00**
Appropriation for State Revenue	**95,241.79**
Appropriation for Emergency Fund	**350,000.00**
Amount to be Levied	**40,000.00**
Appropriation for Auditorium	**12,000.00**
Appropriation for 911	**97,755.00**
Appropriation for State Grants	**36,700.00**
Appropriation for Police Contract	**31,000.00**

Appropriation for Capital Projects	**288,427.00**
Amount to be Levied	**209,617.31**
Appropriation for Sheriff 24-7 Program	**12,000.00**
Appropriation for Hazardous Chemical	**6,000.00**
Appropriation for Extension	**7,000.00**
Appropriation for District Court Trust Fund	**1,000.00**
State Medical Center - Amount to be Levied	**44,201.95**
Appropriation for DVVA	**400.00**
Appropriation for Reimbursable	**315,000.00**
Appropriation for Real Estate Tax	**20,000.00**
Appropriation for Asset Forfeiture Fund	**3,000.00**
Appropriation for Document Preservation	**17,000.00**
Appropriation for County Vehicle	**3,000.00**
Appropriation for Opioids Settlements	**11,952.83**

OTHER COUNTY FUNDS

Senior Citizens - Amount to be Levied	**44,201.95**
Historical Society - Amount to be Levied	**11,051.00**
Water Resource District - Amount to be Levied	**62,000.00**
County Health District - Amount to be Levied	**120,000.00**
Weed Control - Amount to be Levied	**89,682.26**
County Hospital District - Amount to be Levied	**221,009.75**
Soil Conservation District - Amount to be Levied	**65,000.00**
Airport - Amount to be Levied	**160,400.00**

Commissioner Magrum motioned to enter into a contract with RTS Shearing, LLC to crush 25,000 tons of class 13 gravel and to crush 25,000 tons of class 5 gravel for a total of $450,000.00. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Jeffry Verdoorn appeared to discuss the building permit application for Candace Verdoorn for placing two 8 X 40 shipping containers twenty feet apart with a roof placed to connect for storage on Lot 30, Subdivision of Lots 22-31 and Lots 8B and 8C, Rudy's Subdivision 1A, Section 5, Township 130, Range 79. Jeffry Verdoorn stated that his intentions are to insulate, wire and heat the containers and use them as work sheds.

Emmons County Commission reviewed Resolution 22-03-01 that was adopted on July 5, 2022 that specifically regulates Conex boxes or similar structures by adding a provision that there shall be a limit of one Conex Box per lot. In order to approve this permit, a variance would need to be granted. Following further discussion, Commissioner Magrum motioned to deny the building permit application. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried. The Commission will re-visit the matter in November or December.

Christina Seppanen, Director of Tax Equalization, provided information to the commission for determining whether a Battery Energy Storage System (BESS) is centrally or locally assessed.

Donavin Grenz appeared to discuss the building permit application to erect a 60 X 40 storage building on site of former Heyerman house with a 60 X 40 detached garage located on Block 5, Section 7, Township 132, Range 76, Patterson's Addition in Linton City. Following discussion relative to this property being in the floodway and subject to FEMA building regulations, Commissioner Gartner motioned to deny the building permit based on the grounds that Mr. Grenz needs to obtain a building permit from the City of Linton. Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commission Magrum was designated as Emmons County's Voting Delegate for the NDACO annual business meeting held in October.

Commissioner Gartner motioned to remove Ardella Deis and add Marlena Hartze-Kelsch on all bank accounts with BNC National Bank, Strasburg State Bank, Bank of Hazelton, Hometown Credit Union and Unison Bank. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Zoning Ordinance update discussion was held. Commissioner Magrum stated that in light of the discussions from previous public hearings and reviewing Sheridan and Dunn County's zoning plans, he has a few ideas for consideration. One suggestion was a $600 nonrefundable application fee for a conditional use permit. Once the permit is approved then have a permit fee structure. Sheridan County's is 1/10th of 1% of the cost of construction. Another suggestion was a 120-day option of review for the board to review and act on a conditional use permit application or zoning decision. Dunn County has defined process with stages that defines the sequence of steps that an application needs to go through. Another suggestion was having a minimum and maximum permit fee schedule, and also implementing a fee schedule to accommodate financing options to ease burden. There was also discussion on having only one permit application. States Attorney, Joseph M. Hanson, will draw up a proposed Resolution for the October meeting.

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

General and 911 – August Payroll - $123,777.62
Highway Tax – August Payroll - $64,437.06

The following vouchers were reviewed and approved for payment:

50305	Acme Tools	Tools/Supplies	1,428.97
50306	Advanced Business Methods	Copier Contracts	419.26
50307	Auto Value	Parts	13.25
50308	Beastrom Oil Co.	Fuel	28,885.19
50309	Braaten Law Firm	Legal Services	2,230.00
50310	Bruun, Mark	Mowing	150.00
50311	Burleigh Morton Detention Center	Prisoner Billing	2,800.00
50312	Butler Machinery Co. Corp.	Parts/Labor	855.62
50313	Cole Papers, Inc.	Supplies	125.06
50314	Dakota Dust Tex, Inc.	Service	202.00
50315	Dakota Dynamics	HR Contract	800.00
50316	Dakota Line Sales, Inc.	20' Container	14,600.00
50317	Donley, Austin	Mowing	150.00
50318	Emmons County Record	Publishing	450.99
50319	Emmons County Treasurer	Postage/NDACO	226.70
50320	Emmons County Treasurer	Blade Glass	4,035.18
50321	Fireside Office Products, Inc.	Supplies	670.91
50322	Hazelton City	Water Bill	57.00
50323	Innovative Office Solutions	Paper	96.00
50324	Interstate Power Systems, Inc.	Generator Labor	1,495.54
50325	Jerome Distributing	Water Refill	48.00
50326	Linton Auto Parts	Parts	95.55
50327	Lowry, Steven B & Doris J.	Water Use Langelier's Bay	300.00
50328	Martin Oil Company	Gas	652.49
50329	Matthew Bender & Co., Inc.	ND Court Rules Update	32.43
50330	MDU	Utilities	1,228.26
50331	NDACO Resources Group, Inc.	Computers/IT Support	4,714.00
50332	NDLTAP	Training	600.00
50333	Nelson Auto Center	2025 Ford Expedition	57,086.00
50334	Nodak True Value	Supplies	298.20
50335	Nodland, Chad C.	Professional Services	225.00
50336	Northern Improvement Co.	Omegamix	300.00
50337	NW Tire, Inc.	Tires/Service	24,862.12
50338	ODP Business Solutions	Supplies	105.08
50339	Payment Remittance Center	Gas/Fuel/Supplies	202.47
50340	Payment Remittance Center	Gas/Fuel/Supplies	1,397.11

50341	Payment Remittance Center	Gas/Fuel/Supplies	5,438.20
50342	Payment Remittance Center	Gas/Fuel/Supplies	446.80
50343	Payment Remittance Center	Gas/Fuel/Supplies	1,400.87
50344	Payment Remittance Center	Gas/Fuel/Supplies	233.37
50345	Peterson Brothers, LLC	Gravel Hauling	24,975.00
50346	Power Plan Corp.	Supplies	616.90
50347	RDO Truck Center Omaha	Parts	22.20
50348	Renschler, Norman	Maintenance to Langelier's Bay	3,529.00
50349	Schlosser, Steven P.	Gravel Hauling	22,275.00
50350	Schneider, Jackie	Food Pantry	500.00
50351	TC Specialties, Inc.	Service	57.00
50352	Vander Vorste, Max	Gravel Hauling	14,550.00
50353	Verizon Wireless	Cell Service	297.65
50354	White Cap LP	Parts/Supplies	561.49
50355	Widmer Roel	2024 Audit	3,557.00
50356	Wold Engineering PC	Engineering	4,928.75
50358	Linton City	Water Bill	214.01
50359	South Central Regional Water	Water Bill	203.40
50360	Tyler Technologies, Inc.	Software Support	6,194.43
50361	Verizon Connect	Vehicle Tracking	174.78
50362	Emmons County Treasurer	Postage	2,230.01
50363	KEM Electric	Utilities	289.82
50365	Information Tech. Dept., Inc.	Internet Access & Netmotion	1,647.10
50370	BEK Communications	Telephone Service	3,052.84
50371	Heartland Waste Management, Inc.	Service	120.00
50372	Strasburg City	Water Bill	92.69

There being no further business before the board, Commissioner Miller motioned to adjourn the meeting. Seconded by Commissioner Gartner. The meeting adjourned at 1:30 P.M.

Approved: October 7, 2025

Daniel Materi, Chairman
Board of County Commissioners

Marlys Ohlhauser
Emmons County Auditor

OFFICIAL PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
OF EMMONS COUNTY, NORTH DAKOTA
AT IT'S SPECIAL MEETING
AUGUST 12, 2025

Chairman Dan Materi called the meeting to order at 9:00 A.M., with Commissioners James Gartner, Erin Magrum, Craig Miller and James Vander Vorst being present. Also present was States Attorney Joseph M. Hanson.

The Pledge of Allegiance was recited.

Chairman Materi welcomed everyone to the meeting and asked the commission if they had any questions or wanted more discussion regarding the conditional use permit application submitted by Emmons-Logan Energy Storage, LLC to construct, operate or maintain an Emmons-Logan Energy Storage Project in Emmons County.

Commissioner Miller asked NextEra Energy Resources Representatives how they arrived at the 7.2 million in property taxes over the life of the project? Clint Scherb, Project Developer for NextEra Energy Resources, replied that NextEra Energy Resources hired a third-party economic studies group that did their analysis pertaining to the property taxes, and are pretty certain that the property taxes spent over the twenty-five-year period would equal between five to seven million. Commissioner Miller asked how they came about this figure as North Dakota doesn't have anything set up for battery storage taxes? According to Clint Scherb, NextEra Energy Resources reached out to the state, but they indicated that they can't give a firm number right now. The analysis did confirm from a couple different groups that the project would be locally assessed because it's not utility owned.

State's Attorney, Joseph M. Hanson, stated that he visited with Christina Seppanen, Director of Tax Equalization, and she's concerned about the project being locally assessed because the batteries themselves being personal property, rather than being taxed as real property. Joseph M. Hanson asked NextEra Energy Resources if they could file an affidavit of attachment or consider those facilities and equipment to be real property that can be assessed? Casey Furey, Crowly Fleck Law Firm, responded that this question would have to be brought back internally to be discussed as they don't know if they could commit. They've been communicating with the ND Tax Commission who is unable to provide a firm number at this time, but are working on their framework.

Commissioner Vander Vorst asked if NextEra is changing its holdings or changing the company to XPLR? Clay Cameron, NextEra Energy Resources Director of Development, responded that XPLR is a separate company outside of NextEra Energy Resources and are the transmission owner entity that owns their transmission assets.

Chairman Materi felt that after Tuesday's public hearing, the commission have to pull the brakes on this project, and get the permit fee that was approved in August 22, 2022 cleared up. It's clear that this project is an industrial project, and out of good faith, we cannot accept the $62,000 when the permit fee should be 3% of the $181 million-dollar project. Clint Scherb responded understanding the commission believing that the application fee of 3% of the project costs applies to industrial types, not meaning the zoning of the land or the district that it's zoned in, but the type of project. Mr. Scherb continued by stating that they understand the context now after reviewing the commission meeting from Tuesday morning prior to the hearing where a gentleman presented some context. And after communicating our concerns regarding the applicability of the fee for this project, and believe the basis of the amount of the fee is unclear, and because of the late stage of our permit application, NextEra Energy Resources wants to agree to the 3% of the project costs for the fee. For the purpose of calculating the fee, they looked at the total project costs of the infrastructure, including batteries and inverters. The project costs would be $132 million equating to a $3.96 million application fee. NextEra Energy Resources is requesting to pay in a milestone type paying ten percent upon conditional use permit approval, forty percent after Public Service Commission approval, and fifty percent within thirty days upon construction.

There was some discussion relative to paying the permit fee in one lump sum or agreeing to the milestone payment schedule. Commission Magrum agreed to NextEra Energy Resources idea of paying the permit fee in portions and thought it was an excellent idea. This is usually how contractors operate when doing jobs, they require so much money down and throughout the phases, you have a payment schedule.

Commissioner Gartner commented that the wind farm conditional use permit fee was $27,000 and NextEra Energy Resources is offering $3.96 million for this project. This moves us forward ensuring that whenever there's projects, there's an economic impact.

Commissioner Vander Vorst commented that the project seems lucrative to the county; but it doesn't change the scope of the project for him, and he has to vote his conscience, and not his pocketbook.

Commissioner Magrum motioned to approve the Conditional Use Permit for Emmons-Logan Energy Storage, LLC to construct, own, and operate the Emmons-Logan Energy Storage Project with a fee of $3.96 million, and agree to their permit fee schedule. Seconded by Commissioner Gartner. During discussion, Commissioner Miller stated that when the commissioners took this job, it was for the betterment of the county to do what was right for the county, and to protect the citizens of the county. Commissioner Miller also stated that he heard nothing about this project that really scared him and didn't hear any objections from the landowners in the area of the project. Commissioner Magrum commented that by putting a percentage amount on these permits is just trying to gain some value because most of these projects that are

coming into the county are low impact or have no impact when to comes to fulltime employment. Chairman Materi stated that his concern is that the permit fee should be a full amount paid upfront of the project and put into an escrow account that stays there until the project is completed. A roll call vote was taken. "YES": Gartner, Magrum, Materi and Miller. "NO": Vander Vorst. Motion carried.

There being no further business before the board, Commissioner Magrum motioned to adjourn. Seconded by Commissioner Gartner. The meeting adjourned at 10:00 A.M.

Approved: September 2, 2025

Daniel Materi, Chairman	**Marlys Ohlhauser**
Board of County Commissioners	**Emmons County Auditor**

OFFICIAL PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
OF EMMONS COUNTY, NORTH DAKOTA
AT IT'S REGULAR MEETING
AUGUST 5, 2025

Chairman Dan Materi called the meeting to order at 9:00 A.M. with Commissioners James Gartner, Erin Magrum, Craig Miller and James Vander Vorst being present. Also present was States Attorney, Joseph M. Hanson.

The Pledge of Allegiance was recited.

The July, 2025 end of month fund balance report and the year to date expenditure reports were distributed to the board.

Commissioner Magrum motioned to approve the minutes of the July 1, 2025 regular meeting. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the agenda with the addition of oil tank discussion. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Old and Unfinished Business:

Commissioner Magrum stated that Skyler Prellwitz called him and provided a history on the county oil tank. The tank was purchased from Purple Wave Auction from a county in SD for $2,500.00 plus another $3,000.00 for freight. The heating system was dismantled because they had to take it apart in order to haul it. Skyler had plans on contacting one of the Heating and Air business's for putting the heating system back together. The cost for a new oil tank is $200,000.

New Business:

Strasburg Care Center Administrator, Robert Sheckler, appeared to provide an update on a proposed new facility in Strasburg. The new building project was announced at their annual picnic that had great community support serving over 350 people. The new project site would be across the street from the current care center where 4.5 – 5 acres have been secured. The cost of the new facility is eighteen million dollars. Mr. Sheckler is currently applying for a loan through the Bank of North Dakota for five million dollars. The ND Legislatures passed a bill appropriating funding for new building projects for nursing homes with current facilities needing to be at least thirty years old. The maximum that the Care Center can borrow is ten million dollars. The remaining three million dollars is being requested from the county. States Attorney, Joseph M. Hanson, is researching a possible bond guarantee fund relating to nursing homes that would require placing a measure on the ballot for a voter approved mill levy. Robert Sheckler will also reach out to Lewis and Clark Regional Development Council and the Long-Term Care Association for resources.

The Commission instructed States Attorney, Joseph M. Hanson, to seek civil damages from the suspects for the costs incurred by the county in suppressing the Glencoe Fire on April 12, 2025.

The board reviewed the pay grade and pay step structure organizing and compensating employees based on factors such as job responsibility and longevity from a blue print previously used by Pam Binder, previous Emmons County Human Resources.

Russell Lawler, Road Superintendent, provided a monthly update on activities for the county road department. The road department has been busy graveling, blading and installing culverts. Next week, plans are to work on the road by the Wolbaum Pit and then gravel/blade the road west of Hazelton on 67th St. SW.

The county is submitting applications requesting Flex Funding for road projects to include 17th Ave SE Grade Raise north of Braddock, Patching and Overlay on Linton shop road and Strasburg West on CMC 1536 and Cattail Bay Road Cement Stabilization/New Box Culvert.

The Commission discussed forming a planning and zoning board for Emmons County. According to States Attorney, Joseph M. Hanson, North Dakota Century Code 11-33-04 states that in counties with five-member boards of county commissioners, the planning commission consists of nine members, of whom at least two must be appointed from the governing body of the city that is the county seat and of whom at most two may be appointed from the board of county commissioners. The remaining members shall be appointed from the county at large. In counties that elect county commissioners from districts, at least one at large member of the planning commission must be appointed from each district.

David Moch provided copies of the county commission minutes from August 22, 2022 where the commission approved a motion to amend the industrial conditional use permit application fee to 3% of the total cost of the project. David Moch emphasized that bringing this forward has nothing to do with the NextEra battery storage project, it just happens to be the first big project that's coming to Emmons County since this motion was passed. "These companies are coming here for a reason and we don't have a lot of zoning rules, they want our land and are making billions of dollars off of these projects, and we are still sitting at a $250 permit fee." David Moch questioned why the 3% fee isn't being applied to the Emmons-Logan Energy Storage project conditional use permit application? Commissioner Magrum explained that Emmons County has a conditional use permit application and an industrial conditional use permit application. The conditional use permit application is for little projects for our citizens while the industrial conditional use permit was to be used for

larger projects such as wind generation facilities. The industrial conditional use permit application was amended according to the minutes from August 22, 2022. When NextEra applied for a conditional use permit, they did not use the industrial conditional use permit application because according to our Zoning Ordinance, Article II, Agricultural District, conditionally permitted uses includes electric transmission facilities and water, gas, oil or coal, and transmission pipelines. The interpretation is that because this energy storage project is located in an agricultural zone versus industrial zone, NextEra applied for a conditional use permit. According to States Attorney, Joseph M. Hanson, in order to make an amendment to the zoning ordinance would require two readings. Once somebody changes the use on the property, it doesn't change how it's zoned. You would need a separate zoning hearing to change a parcel of property.

Commissioner Magrum motioned to deny the Plat of Lot 1 of QCD Life Estate Reservation DOC #179106 in the SE ¼ of Section 33, Township 135, Range 75 until more clarity is brought to the board. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the Plat of Tracts A and B, within Govt. Lot 1, in the NW ¼ of Section 30, Township 132, Range 75 of the Fifth Principal Meridian, Emmons County, ND. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to approve the Plat of Auditor's Lot "B", SE ¼ of Section 8, Township 130, Range 79. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the Plat of Auditor's Lot No. 1, Part of the Northeast Quarter of Section 26, Township 135, Range 76, Emmons County, ND. Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to approve the applications for abatement or refund of taxes for tax year 2025 for parcels #52-0017-00855-000, #52-0020-00906-001 and #52-0020-00906-003. Seconded by Commissioner Vander Vorst. Roll Call "YES": Magrum, Materi, Miller and Vander Vorst. Motion carried. Gartner abstained from voting due to conflict of interest.

Commissioner Magrum motioned to approve the building permit for James Silvernagel for replacing windows, siding, and remodel the inside of the home located in the NW ¼ of Section 25, Township 136, Range 76. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

The 2026 County Budget hearing was set for October 7, 2025 at 6:30 P.M. at the Emmons County Courthouse (courtroom).

Commissioner Gartner motioned to approve the amended Gaming Authorization to include Prize Board Dispensing Devise for Linton Lions Club at the Dock Bar & Grill, LLC, 8049 Hwy. 1804, Linton, ND 58552. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the building permit for Chris and Nicole Weigel for putting up two (2), 24,000-bushel grain bins on the SE ¼ SW ¼ of Section 13, Township 134, Range 74. Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the building permit for AT&T Mobility to replace antenna equipment on the existing cell tower. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to table the building permit for Candace Verdoorn for placing two (2) 8 X 40 shipping containers 20 feet apart with a roof placed to connect for storage on Lot 30 in Lot 1A of Rudy Subdivision, Section 5, Township 130, Range 79, and to table the building permit for Tanner and Natasha Dosch for building a 28 X 46 family lake cabin on Lot 5 of Lot 46A, Walther's Subdivision and easement area in Section 23, Township 132, Range 79 to allow for proper evaluation by Josh Odden, building inspector. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to deny the building permit for Lynda McClung, Network Connex (Authorized Agent for Intermountain Infrastructure Group, LLC), to install new fenced gravel compound expansion, (2) new prefabricated equipment shelters, (2) new generators, (1) new CT rated meter with test switch and 600 A fused disconnect, (1) new CT rated meter with test switch and 400 A fused disconnect, new conduit and conductors for power to factory installed ATS and panels in shelters. Size of building is 36 X 12. Legal Description – Lots 3-4 & S ½ SW ¼ Less PAR #44 in Section 2, Township 132, Range 77, for the sake that it's not properly applied for with the expectation that they're going to be applying for a conditional use permit. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

The agenda included an opportunity for an individual in attendance to provide public comment pursuant to Senate Bill No. 2180.

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

General and 911 – July Payroll - $121,072.51
Highway Tax – July Payroll - $75,480.92

The following vouchers were reviewed and approved for payment:

50105	ND Attorney General	Criminal Background Check	15.00
50111	MDU	Utilities	114.32
50142	Acme Tools	Shop Supplies	214.00
50143	Advanced Business Methods	Extension Copier Contract	325.35
50144	Agtegra Strasburg	Chemical	2,712.50
50145	Agtegra Redfield Bulk	Maxtron	1,209.03
50146	Ampride	Gas	240.26
50147	Aune, Charles	Mowing	150.00
50148	Auto Value Linton	Parts	18.99
50149	Beastrom Oil Co.	Fuel	5,468.39
50150	Braaten Law Firm	Legal Services	1,761.00
50151	Bravera Bank	JD Blade Lease	50,125.69
50152	Burleigh Morton Detention	Prisoner Billing	3,900.00
50153	Butler Machinery Co.	Parts	134.16
50154	Central Dakota Frontier	Gas	50.20
50155	Circle H. Lumber	Material	26.10
50156	Cole Papers, Inc.	Supplies	130.24
50157	Curtis Rud Oil Co.	Fuel	23,975.83
50158	Dakota Dust Tex, Inc.	Service	364.65
50159	Dakota land Auto glass	Glass Repair	616.12
50160	Deis, Nancy	Expense Reimbursement	267.40
50161	Donley, Austin	Mowing	450.00
50162	Electronic Communications, Inc.	Onsite Service	1,895.00
50163	Emmons County Record	Publishing/Envelopes	1,099.10
50164	Emmons County Treasurer	Registration Fee	10.00
50165	Emmons County Treasurer	Postage Machine Use	473.04
50166	Fireside Office Products	Supplies	1,423.88
50167	FS Manufacturing	Shop Tool	273.44
50169	Jack's Electric	Service	287.76
50170	Jerome Distributing, Inc.	Water Refills	87.50
50171	Linde Gas and Equipment, Inc.	Shop Supplies	708.85
50172	Linton Auto Parts	Vehicle Maintenance/Shop Supplies	937.89
50173	Linton City	Water Bill	261.71
50174	Locators & Supplies	Jacket	165.92
50175	Martin Oil Company	Gas	3,693.39
50176	Matthew Bender & Co., Inc.	NDCC Updates	131.93
50177	MDU	Utilities	1,174.00
50178	ND One Call	Location Request	4.50
50179	ND State Radio Communications	Phone Collections	13,758.22
50180	ND State Radio Communications	LETS Billing	120.00
50181	NDACO Resources Group	Server Management/Computers	6,655.44
50182	NDACTVSO	Conference	120.00
50183	NDSU Extension	Salary Reimbursement	16,560.29
50184	Newman Signs, Inc.	Road Signs	216.18
50185	Nodak True Value	Shop Supplies	563.38
50186	Nodland, Chad C.	Legal Services	225.00
50187	NW Tire, Inc.	Tires	7,704.65
50188	Payment Remittance Center	Gas/Fuel/Supplies	223.32
50189	Payment Remittance Center	Gas/Fuel/Supplies	595.32
50190	Payment Remittance Center	Gas/Fuel/Supplies	371.99
50191	Peterson Brothers, LLC	Gravel Hauling	27,150.00
50192	Pool, Rebekah	4-H Seasonal Help	500.00
50193	Power Plan Corp.	Parts	2,693.39
50194	Quadient Leasing USA, Inc.	Postal Machine Rent	353.19
50195	RDO Truck Center	Parts	98.25
50196	Renschler, Norman	Maintenance to Langelier's/Rice Lake	4077.20
50197	Sayler Implement, Inc.	Parts	275.62
50198	Schlosser, Steve	Haul Gravel	28,050.00
50199	Schneider, Jackie	Food Pantry	500.00
50200	South Central Regional Water	Water Bill	217.80
50201	St. Alexius	Training	20.00
50202	Strasburg City	Water Bill	94.82
50203	Stuckle, Acacia	Expense Reimbursement	190.40

50204	TC Specialties, Inc.	Service	57.00
50205	Tyler Technologies	Software Support	25,472.35
50206	Uniform Center	Uniforms	228.98
50207	Verizon Wireless	Cell Service	442.80
50208	Verizon Wireless	Cell Service	312.80
50209	West River Equipment	Parts	760.55
50210	Western Dakota Energy	Load Pass Dues	500.00
50211	White Cap LP	Supplies	15.72
50212	WL Hall Co Interior Service	Smoke guard Inspections	1,336.39
50213	Wold Engineering, PC	Preliminary Engineering – Grade Raise	11,000.00
50216	Payment Remittance Center	Gas/Fuel/Supplies	9,026.63
50217	Payment Remittance Center	Gas/Fuel/Supplies	970.67
50218	Payment Remittance Center	Gas/Fuel/Supplies	207.65
50219	Payment Remittance Center	Gas/Fuel/Supplies	2,299.88
50220	Soft Choice Corp.	Computer Software	1,599.80
50221	Hazelton City	Water Bill	57.00
50222	KEM Electric	Utilities	308.81
50226	Heartland Waste Management	Service	120.00
50230	Information Technology Dept.	Internet Access & Netmotion	1,647.10
50332	BEK Communications	Telephone Service	3,041.41

Commissioner Magrum motioned to adjourn the meeting and reconvene at 6:30 P.M. for an advertised public hearing. Seconded by Commissioner Gartner. The meeting adjourned at 3:00 P.M.

As Advertised, at 6:30 P.M., a public hearing was held to consider the application for a conditional use permit to construct, own, and operate the Emmons-Logan Energy Storage Project.

Chairman Materi opened the public hearing by welcoming the local citizens and NextEra Energy Resources Representatives, and then turned the meeting over to Clint Scherb, Project Developer for Next Era Energy Resources, who presented an overview of the project. The project will be located adjacent to the existing wind site collector substation on the corner of 21st Avenue SE and 72nd St. SE and encompasses approximately 24 acres including the existing five-acre substation. This project will connect to the existing Logan Wind 230 KV collector substation and will utilize the existing transmission to the point of interconnection on the grid to the Napoleon substation. If the conditional use permit is approved, the process will begin with the North Dakota Public Service Commission to obtain a final certificate of site compatibility before construction can start. Construction is expected to start in May of 2026 with commercial operation targeted for December of 2026. The project will be 140-megawatt, 4-hour battery energy storage project (560 MWh). Anticipated local spending impact includes 150 short-term jobs during construction and one to three fulltime operational jobs after construction. Preliminary estimates assume $7.2 million in property taxes over the life of the project.

Evan Shea, Battery Storage Development for NextEra Energy Resources, stated that NextEra Energy Resources has been developing battery energy storage systems since 2013, and since then they have over fifty systems safely operating across the United States and Canada. Presented was a preliminary site layout and project design of the Emmons-Logan Energy Storage project.

Josh Adams, Fire Safety Engineering Manager for NextEra Energy Resources, talked about the codes, standards, safeguards, safety regulations and testing of the battery energy storage systems. The project is designed to follow National Fire Protection Association 855 and International Fire Code. NextEra Energy Resources works closely with government officials, fire departments and the AHJ's making sure they understand their product and are following all the local regulations. There's 24/7 monitoring from their renewable operations control center that tracks all facilities around the clock.

Following NextEra Energy Resources' presentation of the project, Chairman Materi invited citizens present who wish to speak to come forward.

Commissioner Miller asked if the 45-decibel level for noise is per unit, where Clint Scherb responded that's the total combined noise including the existing wind turbines and the substation.

Senator Jeff Magrum addressed his concerns about the contamination to Lake Aquifer should NextEra Energy Resourses expand on this project in the future. Josh Adams explained the approach in the rare event of a fire and confirmed that there's no risk of contamination. Senator also asked if NextEra Energy Resources is planning on putting a battery energy storage at each of their thirteen industrial wind developments where Clint Scherb stated that this might be one of the goals due to the benefits that it brings to the grid and to the overall transmission system.

Questions were asked about the property taxes paid to the county where Clint Scherb stated that the state is still uncertain whether the project will be centrally assessed or locally assessed, while the opinion of a third-party consultant group is estimating property taxes of 7.2 million dollars over twenty-five years.

Commissioner Magrum asked what their disposal strategy is where Josh Adams replied that they work with manufactures to recycle the batteries. Current recycling technologies that exist today can recover 97% of the metals from lithium-ion batteries that are recycled. The batteries will never go to the landfill.
Kenneth Huber questioned which fire department would be responsible for responding as the project is twenty miles from Linton and twenty miles from Napoleon where Clint Scherb stated that he's had a conversation with

Emergency Manager, Mary Senger, where plans are being made to meet with all the fire districts this fall to offer training. Kenneth Huber stated that the land east of the project within a half mile begins with pasture. The land south of the project is also pasture. There is 25 quarters of land that touches each other that is used for grazing. The concern was should a fire happen and takes off, a lot of land will be lost in a short time. Allan Weigel who has cattle in some of this pasture asked about the width of gravel outside of the containers. Clint Scherb stated that NFPA 55 guidelines are 100 feet from the batteries to the property line and the entire facility is clear of vegetation.

David Moch asked if the plume from the smoke is toxic because there are concerns about toxic substances on the surface water. According to Josh Adams, a report that came out at the end of March written by Fire Risk Alliance stated that they assessed the environmental impacts of historical events and every single one of those events showed no contamination to the surrounding air, water or soil. The lithium-ion batteries primary constituent gases that come out of them in case of a runaway is hydrogen, carbon dioxide and carbon monoxide.

Stephanie Doolittle expressed her opinion and stated that multi-million-dollar companies come into our communities and tell us how great their project is going to be. Communities all over our state and our country are being inundated with all this green energy stuff and we know it's all heavily subsidized. The taxpayers are paying for this; but, we are made to believe that this is good. If people aren't going to stand up and defend themselves and our communities, there's going to be a wind tower, solar panel, and batteries all over Emmons County and this entire beautiful state.

Randy Meidinger, City of Linton, believes that the batteries in our garages are going to be more dangerous than the battery project that NextEra is proposing. Randy touched on the property taxes paid by the natural gas pipeline and the Dakota Access pipeline that pays a quarter of million dollars that's divided amongst schools, fires, etc. in Emmons County.

Commissioner Magrum thanked everyone for coming to the hearing and wants to be completely fair to NextEra Energy Resources. It's been a total open process with them. Emmons County has had far too cheap of a permit fee for too long. We have an industrial conditional use permit and then we have a conditional use permit. The interpretation with the county is that the conditional use permit is mostly for locals trying to conditionally amend small things inside of zoning areas. The industrial conditional use permit is meant to permit industrial projects. Emmons County has amended the permitting fee on the industrial conditional use permit to 3% of the total project versus $250 for the other conditional use permit. The commission is in the process of going through our ordinances trying to figure out the right way because our ordinance book has not been amended for 30-40 years. Commissioner Magrum feels that the commission should adhere to this because they did properly amend the fee through our ordinance process.

Casey Furey, Crowly Fleck Law Firm, who assists NextEra Energy Resources with local and state permitting matters for state projects addressed some of the points that were raised with respect to the application. The application was submitted pursuant to Emmons County's existing ordinances. Electric transmission facilities, which NextEra Energy Resources has filed under, are designated as conditional use in Agricultural districts and the permit was submitted based on this.

Tim Leppert who serves on the Russell Township in LaMoure County came forward and stated that corporations are coming into their township wanting to build infrastructure, and they were not prepared so they decided to update their zoning ordinances and comprehensive plan. Two-year moratoriums were placed until the zoning ordinances are updated and in compliance with the state to protect their citizens. Their first concern was to protect the resident landowners in the township. One change to the ordinances will be a requirement of the corporations to present their business plan, financial statement and to post a certificate of credit.

Commissioner Gartner commented that with these data centers and AI coming to our country, Emmons County is going to be the only place with nothing in it, or we're going to get on board, and we do need to restructure our fees because a $500 million company building a $200 million project through Emmons County should be able to pay a 3% permit fee. Commissioner Gartner also commented that he would like to get to the bottom of the property tax impact to Emmons County. How is the project taxed and what is the benefit to Emmons County? "We have to find those answers out before we can 100% approve this project."

Chairman Materi stated that in his opinion he feels that the board should table the permit until the county's zoning ordinance is amended. NextEra Energy Resources can re-submit the permit that will then comply with our amended zoning ordinance.

Commissioner Vander Vorst commented that it really doesn't matter to him as he see's no benefit for the county.

The Commission concluded to table the conditional use permit and have a special meeting on August 12, 2025 @ 9:00 A.M. Chairman Materi thanked everyone for attending the hearing. The hearing closed at 9:55 P.M.

There being no further business before the board, Commissioner Miller motioned to adjourn the meeting. Seconded by Commissioner Magrum. The meeting adjourned at 10:00 P.M.

Approved: September 2, 2025

Daniel Materi, Chairman	**Marlys Ohlhauser**
Board of County Commissioners	**Emmons County Auditor**

OFFICIAL PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
OF EMMONS COUNTY, NORTH DAKOTA
AT IT'S REGULAR MEETING
JULY 1, 2025

Chairman Dan Materi called the meeting to order at 9:00 A.M. with Commissioners James Gartner, Erin Magrum, Craig Miller and James Vander Vorst being present. Also present was States Attorney, Joseph M. Hanson.

The Pledge of Allegiance was recited.

The June, 2025 end of month fund balance report and the year to date expenditure reports were distributed to the board.

Commissioner Magrum motioned to approve the minutes of the June 3, 2025 regular meeting and the June 6, 2025 special meeting. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Miller motioned to approve the agenda. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Old and Unfinished Business:

Commissioner Magrum motioned to appoint Cecile Long to the Emmons County Housing Authority Board to fill the unexpired term of Melvin Jahner. Term is effective July 1, 2025 and will expire on January 1, 2029. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

New Business:

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

Strasburg Care Center Administrator, Robert Sheckler, appeared to request support from the county for building a new thirty-six bed facility in Strasburg. The request was for three million dollars in the form of a mill levy over a twenty-five-year period. The projected cost of the new facility is eighteen million dollars with another source funding from USDA and the Bank of ND.

The Strasburg Care Center is a CMS 5-Star facility and was recognized as a 2023 recipient of the bronze achievement in quality award by the American Health Care Association, and also received the silver quality award in 2024.

Mr. Sheckler provided the commissioners with information about the current building. The facility was built in 1962 out of cinder blocks with the water pipes behind the block. In order to fix the plumbing, the wall has to be torn out. When the pipes leak, the water goes underneath the flooring. There are four old fuel injector boilers with one of the four boilers being replaced recently for a cost of $80,000.00. To replace the roof on the building would cost one million dollars. With new regulations effective January 1, 2025, the facility will lose $300,000.00 this year ($25.00 per day/per resident) from the State of North Dakota due to the age of the building.

Lewis & Clark RDC Executive Director, Brent Ekstrom, presented an overview and update of services that the Lewis & Clark Regional Development Group offers to businesses throughout the state.

At 9:45 A.M., a motion was made by Commissioner Gartner to enter into executive session under NDCC 44-04-19.1 for Attorney consultation regarding Case No. 08-2024-CV-3614. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

The executive session adjourned at 10:25 A.M. and the meeting reconvened in regular session.

Clint Scherb, NextEra Energy Lead Project Manager Development, presented an application for a Conditional Use Permit to construct, operate or maintain an Emmons-Logan Energy Storage Project on 24 acres out of the W ½, SW ¼ of Section 34, Township 134, Range 74 of the 5th P.M. in Emmons County, North Dakota zoned in an Agricultural district. Commissioner Magrum motioned to conduct a public hearing for this Conditional Use Permit application on August 5, 2025 at 6:30 P.M. at the Emmons County Courthouse. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Acacia Stuckle and Nancy Deis, Extension Agents, provided a quarterly narrative report.

Nancy Deis, Agriculture and Natural Resources Extension Agent, reported that she was contacted by a concerned producer who suspected an outbreak of water hemlock, a highly toxic weed. She invited NDSU Extension cropping systems specialist, Jeff Stachler, to help identify the plant. After observation, it was confirmed to be water hemlock, which is extremely poisonous to livestock and humans and can be fatal. Due to the risk and aggressive spread, the producer requested the weed be added to the county's noxious weed list to encourage landowners to take responsibility for control. Nancy Deis met with the Emmons County Weed Board to discuss the issue, and at its June 25, 2025 meeting, the board voted to add water hemlock to the county's noxious weed list.

Departmental budgets were presented for calendar year 2026.

The board recessed for lunch and reconvened at 1:30 P.M.

Russell Lawler, Road Superintendent, provided a monthly update on activities for the county road department. The department is installing culverts, hauling gravel and blading the roads. Two independent contractors were also hired to haul gravel. Commissioner Magrum mentioned that the road on 65th St. SE and 3rd Avenue SE has some rough spots. Russell Lawler stated that he's having the road dept make a couple of rounds with the gravel truck. Also brought forward was the intersection on Main Avenue by 74th St SE and 76th St. SE needs a culvert. Presented was the road departments 2026 budgets.

Jim Wagner was present to discuss the Cattail Bay Road Cement Stabilization (2 miles) project and also inquired about getting an estimate from an engineer on paving the gravel road from the highway to the cattail boat dock.

Commissioner Gartner motioned to approve the Utility Permit for KEM Electric to bore the gravel road to replace overhead power lines in section 27 and 28, Township 133, Range 74. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Miller brought forward setting up road restrictions after a rain event. The northwest corner of the state puts on road restrictions after receiving twenty hundreds of rain, and will keep the restriction in force until the roads dry up. Suggestion was to place this matter on the next six county commission meeting.

The commission briefly reviewed the Dunn County Zoning Ordinance.

Roger Martin, Linton Municipal Airport, and Sharon Jangula, Linton City Administrator/Auditor, presented a 2026 budget request of $160,400.00 which would amount to approximately four mills.

Commissioner Gartner motioned to approve the building permit for Next Era Energy to construct a 60 X 40 storage building addition onto the existing building with a 6 X 8 breezeway on Section 28, Township 134, Range 75. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the building permit for The Dock Bar & Grill, LLC to remodel the interior of the restaurant and bar on Tract B, Lot 1 in the N ½ of Section 14, Township 132, Range 79. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Vander Vorst motioned to approve the building permit for Steve Feist to construct a 100 X 40 residence with a 70 X 30 shop on Lot 13 of Tract B in the W ½ SW ¼ of Section 9, Township 130, Range 79. Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the building permit for Ryan Nagel to construct two (2) 42' grain bins on Section 30, Township 134, Range 76. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to approve the building permit for Corey and Chrystal Bartuska to construct a 36 X 24 shop/garage on Lot 1, Block 4, Missouri Hills Estate, Section 23, Township 132, Range 79. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to approve the Replat of Lot 2 of the SW ¼ and that part of the SW ¼ Emmons-Logan Energy Center, Section 34, Township 134, Range 74. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to approve the Gaming Authorization for Linton Lions Club at The Dock Bar & Grill, LLC, 8049 Hwy. 1804, Linton, ND 58552. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the building permit for Russell Schick to erect a 152 X 80 cold storage building and a 60,000-bushel grain bin with a dryer on Section 23, Township 135, Range 76, contingent that the setbacks follow the zoning ordinances by Josh Odden. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the building permit for Derald and Nancy Gefroh to erect a 59 X 40 residence with a 46 X 37 attached garage on the S ½ SE ¼, Section 8, Township 131, Range 74. 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 LP17062 – LP17086, LP17126 – LP17131, Payroll - $119,852.23
Highway Tax – Voucher Numbers LP17132– LP17144, LP17087, Payroll - $66,395.62

The following vouchers were reviewed and approved for payment:

46753	**MDU**	**Utilities**	**123.38**

50019	Advanced Business Methods	Clerk/Extension Copier Contracts	363.13
50020	Agtegra Coop	Maxtron	830.40
50021	Agtegra Redfield Bulk	Maxtron	1,753.75
50022	API Garage Door, Inc.	Maintenance to Doors	375.00
50023	Aune, Charles	Mowing Braddock Shop	250.00
50024	Auto Value Linton	Shop Supplies	1,304.09
50025	Axon Enterprise, Inc.	Taser and Battery	98.90
50026	Balco Uniform Co., Inc.	Uniforms	250.07
50027	Beastrom Oil Co.	Propane/Fuel	5,422.98
50028	Braaten Law Firm	Legal Services	2,450.50
50029	Burleigh County	Legal Services	22,440.00
50030	Burleigh Morton Detention Center	Prisoner Billing	8,509.72
50031	Butler Machinery Co. Corp.	Parts and Service	4,586.90
50032	CHS, Inc.	Propane	744.05
50033	Circle H. Lumber	Material	4.77
50034	Cole Papers, Inc.	Supplies	1,250.42
50035	Dakota Dust Tex, Inc.	Service	202.00
50036	Dakota Dynamics	HR Contract	800.00
50037	Deis, Nancy	Expense Reimbursement	345.10
50038	Digital Ally	Five Year Subscription	10,800.00
50039	Donley, Austin	Mowing Hazelton Shop	450.00
50040	Eide Ford	Parts and Service	3,542.87
50041	Electronic Communications	Radio Install	1,577.00
50042	Emmons County Record	Publishing	635.48
50043	Emmons County Sheriff	Sheriff Vehicle	14,000.00
50044	Emmons County Treasurer	USPS	700.00
50045	Emmons County Treasurer	Postage	257.12
50046	Fireside Office Products	Supplies	316.41
50047	Jerome Distributing, Inc.	Water Refills	96.25
50048	Johnsen Trailer Sales, Inc.	Parts	266.09
50049	Keller's Hardware	Supplies	59.10
50050	KEM Electric	Utilities	290.75
50051	Kriss Engineering, Inc.	Face Plate	1,586.40
50052	Linton Auto Parts	Parts	217.50
50053	Linton City	Water Bill	233.63
50054	Locators & Supplies, Inc.	Road Dept. Protection Clothing	1,119.03
50055	Martin Oil Co.	Gas	754.39
50056	MDU	Utilities	1,283.65
50057	Mosset Welding, LLC	Service	1,200.00
50058	NDACO	Pre-employment Drug Test	63.00
50059	NDACO Resources Group, Inc.	Computer/Service Agreement	7,601.75
50060	NDACS	Supt. of Schools Dues	50.00
50061	NDSU	Computer Cost Share	115.50
50062	Newman Signs, Inc.	Road Signs	912.91
50063	New Vision Security, LLC	Fire and Burglar Alarm Monitoring	225.00
50064	Nodak True Value	Parts/Supplies	330.08
50065	ODP Business Solutions, LLC	Supplies	61.11
50066	Payment Remittance Center	Gas/Fuel/Supplies	406.61
50067	Payment Remittance Center	Gas/Fuel/Supplies	579.28
50068	Payment Remittance Center	Gas/Fuel/Supplies	971.37
50069	Payment Remittance Center	Gas/Fuel/Supplies	1,622.80
50070	Payment Remittance Center	Gas/Fuel/Supplies	494.46
50071	Payment Remittance Center	Gas/Fuel/Supplies	310.40
50072	Peterson Brothers	Gravel Hauling	22,200.00
50073	Power Plan Corp.	Parts/Labor	2,333.52
50074	RDO Truck Center	Parts/Service	2,481.35
50075	Renschler, Norman	Maintenance to Langelier's/Rice Lake	3,290.00
50076	Sannes Feist Funeral Home	Medical Examiner	1,200.00
50077	Sayler Implement, Inc.	Parts	347.42
50078	Schlosser, Steve	Gravel Hauling	22,200.00
50079	Schneider, Jackie	Food Pantry	500.00
50080	Sign Pro	Decals	16.50
50081	Sign Solutions	Road Signs	253.45
50082	Soft Choice Corp.	Software	959.88
50083	South Central Regional Water	Water Bill	129.60
50084	Strasburg Insurance Agency	ND State Fire and Tornado Insurance	8,745.00
50085	Stuckle, Acacia	Expense Reimbursement	560.00
50086	TC Specialties	Service	57.00
50087	The Crazy Daisy, LLC	Carwashes	12.00

50088	**Tower Communications**	**Tower Rent**	**600.00**
50089	**Tyler Technologies**	**Software Service**	**7,080.00**
50090	**Vanguard Appraisals**	**Program Support**	**11,150.00**
50091	**Verizon Wireless**	**Cell Service**	**312.80**
50092	**Wold Engineering PC**	**Engineering – Braddock Road Project**	**37,050.00**
50097	**Strasburg City**	**Water Bill**	**92.61**
50099	**BEK Communications**	**Telephone Service**	**3,048.65**
50100	**Information Technology Dept.**	**Internet Access & Netmotion**	**1,727.45**
50101	**Payment Remittance Center**	**Gas/Fuel/Supplies**	**518.03**
50102	**Hazelton City**	**Water Bill**	**57.00**
50103	**Heartland Waste Management**	**Service**	**120.00**

There being no further business before the board, Commissioner Magrum motioned to adjourn the meeting. Seconded by Commissioner Miller. The meeting adjourned at 4:10 P.M.

Approved: August 5, 2025

Daniel Materi, Chairman
Board of County Commissioners

Marlys Ohlhauser
Emmons County Auditor

OFFICIAL PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
OF EMMONS COUNTY, NORTH DAKOTA
AT IT'S SPECIAL MEETING BY TELECONFERENCE
JUNE 6, 2025

Chairman Dan Materi called the meeting to order at 4:00 P.M., with Commissioners James Gartner, Erin Magrum, Craig Miller and Jim Vander Vorst being present. Also participating was Neil Horner, National Guard Readiness NCO and Cody Deile, National Guard Platoon Sergeant.

Neil Horner and Cody Deile stated that the North Dakota National Guard are re-grading the Beaver Valley Horse Club arena as part of their renovation project and inquired about purchasing approximately 12 to 15 belly dump loads of gravel from the Knoll Pit. After discussion, Commissioner Gartner motioned to sell the Beaver Valley Horse Club gravel from the Knoll Pit, loaded by a county employee with the county payloader, and hauled by the National Guard with their equipment for $16.00/yard which is the set county rate for gravel. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

There being no further business before the board, Commissioner Magrum motioned to adjourn the meeting. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. The meeting adjourned at 4:10 P.M.

Approved: July 1, 2025

Dan Materi, Chairman	**Marlys Ohlhauser**
Board of County Commissioners	**Emmons County Auditor**

OFFICIAL PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
OF EMMONS COUNTY, NORTH DAKOTA
AT IT'S REGULAR MEETING
JUNE 3, 2025

Chairman Dan Materi called the meeting to order at 9:00 A.M. with Commissioners James Gartner, Erin Magrum, Craig Miller and James Vander Vorst being present. Also present was States Attorney, Joseph M. Hanson.

The Pledge of Allegiance was recited.

The May, 2025 end of month fund balance report and the year to date expenditure reports were distributed to the board.

Commissioner Vander Vorst motioned to approve the minutes of the May 6, 2025 regular meeting and the May 15, 2025 special 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 Housing Authority board member and dust control on gravel roads. Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

<u>Old and Unfinished Business:</u>

Commissioner Magrum reported that Kathryn Holzer declined the appointment of Emmons County Housing Authority board member.

<u>New Business:</u>

Commissioner Gartner motioned to accept the proposal from Twin City Roofing, LLC in the amount of $32,719.00 to repair the upper middle roof area of the courthouse. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

As per publication, at 9:15 A.M., the County Board convened as a Board of Equalization to take up matters of Equalization of Assessments.

Commissioner Gartner motioned to approve the Homestead Property Tax Credits and Veterans Tax Credits for the 2025 tax year. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Vander Vorst motioned to approve the 2025 property exemption list. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Tax Equalization Director, Christina Seppanen, provided a list of the properties that were sent a Notice of Increase where the true and full valuations increased by $3,000 or more and 10% or more from the amount of the previous year's assessment.

Christina Seppanen presented current and prior years true and full values for residential, commercial and farmland properties. The 2025 residential values increased due to sales. By North Dakota state law, as property values change in the market place, those changes must be reflected in the assessor's estimated market values. The assessment must fall within the mandated tolerance as established by the State Board of Equalization which is between 90% and 100% for the year 2025. Rural residential values increased by 10.18%, residential land and commercial land held their own values, while commercial properties increased overall by 13.45%. The Ag Land values as decided at the February 4, 2025 commission meeting will maintain a 92% tolerance level. Commissioner Magrum motioned to approve the equalization and valuation assessments for Emmons County for 2025. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

The ND Legislatures passed HB 1176 which requires that Assessment Notices be sent to all property owners starting in the year of 2026. These notices will include the current and prior years true and full values, date, time, and location for local Board of Equalization meeting. Christina Seppanen estimated a cost of $7,000.00 in postage for mailing these notices.

Discussion was held in regards to increasing the assessment fee for the cities and township which is currently at $1.00 per parcel. No action was taken.

The County Board of Equalization meeting adjourned at 10:00 A.M.

Discussion relative to Zoning Ordinance update was discussed. Commissioner Miller stated that he signed up for a webinar on zoning for large industrial land held on June 5th, 2025. Commissioner Magrum suggested that the board evaluate Dunn County's Land Development Code at the July 1, 2025 meeting.

Theresa Thom, Vision Zero Outreach Coordinator for the Southwest Region in North Dakota, appeared to provide a crash summary report for Emmons County. There were 89 fatalities throughout North Dakota between the years of 2019 – 2023. Emmons County had one fatality in the past five years. Emmons County had 13 serious injury crashes between the years of 2019-2023. Most of these crashes happened during the day with dry weather conditions. 69% of these injuries were single vehicle rollovers. Out of the 13 crashes, 5 were not

wearing seatbelts and ejected from the vehicle. Vision Zero is working in schools with the hope to reach the students to start good behavior sooner. They have a program called Vision Zero Schools where they work with the schools and student councils asking if the students are interested in the Vision Zero Program.

Russell Lawler, Road Superintendent, provided a monthly update on activities for the county road department. Verizon Connect is installing the vehicle trackers. Started hauling gravel out of the Knoll pit to the southeast part of the county. The employees are tracking the gravel inventory. Equipment operators are out blading the roads. The department is also trying to get the closed roads back open and will start replacing the damaged culverts. Commissioner Miller thanked the road department employees for working on the roads over the weekend and on Memorial Day. There was also some discussion relative to dust control on the gravel roads.

Chairman Materi brought forward Russell Lawler's six-month introductory period that is complete. The Commissioners have the choice to either extend the introductory period or classify Russell Lawler as a regular full-time employee. Commissioner Vander Vorst motioned to accept Russell Lawler as a full-time regular employee. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Miller motioned to approve the utility permit for South Central Regional Water to install a 2" rural waterline crossing 8th Avenue SE from the SE ¼ of Section 32, Township 134, Range 76. Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

James Haid reappeared to request gravel on the road located on the NE ¼ of Section 32, Township 133, Range 76. States Attorney, Joseph M. Hanson, stated that he's still waiting for one of the adjacent landowners to sign an easement.

Roger Martin, Linton Municipal Airport and Sharon Jangula, Linton City Administrator/Auditor appeared and requested $45,000.00 from the county to go towards the Linton Municipal Airport apron reconstruction project, and also to inquire about a potential county mill levy to help fund future projects and support operations and maintenance of the airport. Presented was a capital improvement program that listed planned projects for the next ten years. Roger Martin emphasized that the airport, established in 1937, is not a private business; instead it's a federal funded entity for government service providing medical fixed wing transfers and helicopter flights and fueling, aerial applications and utility and pipeline companies.

Kyle Wanner, Director for the ND Aeronautics Commission, was asked about charging for aerial applicators where he emphasized that it's not appropriate practice to charge higher amounts to any sort of businesses on the field for significant projects. The airport is a federal obligated airport and needs to charge a fair market value and appropriate rates.

Discussion was held relative to appointing an individual to serve and represent the county on the airport authority board where there is currently one vacant seat to the five-member board. The Commission also entertained the idea of changing the name of the airport to the Emmons County Airport. Grant Turwick, Airport Planner for the ND Aeronautics Commission, explained that changing the name of the airport is a simple process where the airport would be a county airport and still be sponsored and run by the Linton Airport Authority. To create a county airport authority or a joint regional airport authority would involve a joint resolution between the county and the city which would also require a seven-member board and a new EIN number and account number with the FAA. Linton Airport Authority has their own tax number and account with the FAA where they receive grants for the airport.

Commissioner Gartner motioned to approve the applications and issue liquor licenses for Todd Nieuwsma/dba The Quencher Bar:

1. **Special event on June 28, 2025 and June 29, 2025 at the Beaver Horse Club Grounds located on a portion of the SW ¼ of Section 36, Township 131, Range 76.**
2. **Special event on August 16, 2025 at the Beaver Horse Club Grounds located on a portion of the SW ¼ of Section 36, Township 31, Range 76.**
3. **Special event on August 23, 2025 and August 24, 2025 at the Beaver Horse Club Grounds on a portion of the SW ¼ of Section 36, Township 131, Range 76.**
4. **Special event held on June 28, 2025 at Lots 9-10, Block 2, Volk's Addition, Hague City (by the cabins in Hague City), 401 Main St. for an Auction Sale.**

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

Commissioner Vander Vorst motioned to approve the building permit for Greg and Melissa Roehrich for adding a 70 X 40 addition to the existing garage on N 700' of Lot 5 and N 700' of the SE ¼ SW ¼ of Section 6, Township 132, Range 76. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the Plat of Lots 1, 2, 3, 8 and the North ½ of Lot 9 of the NE ¼ of the SE ¼ of Section 27, Township 132, Range 79. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the Plat of Lots A and B of a tract of land previously described in document #163657 in the southwest quarter of Section 1, Township 132 north, Range 74 west, of the fifth principal meridian, Emmons County. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the building permit for Gerard Schwab to move in a 64 X 32 Modular Home and attach a 36 X 32 garage on the W ½ SW ¼ of Section 25, Township 131, Range 76. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Materi, Miller and Vander Vorst. Motion carried. Magrum abstained from voting due to conflict of interest.

Commissioner Magrum motioned to approve the building permit for Austin Ohlhauser to build a basement, move an existing house with a single stall garage to set down, and build on a 28 X 30 addition to the garage. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the application and issue a liquor license for Connie Dockter/The Dock Bar & Grill, LLC. Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the Plat for Jangula River Views Subdivision in the SE ¼ SE ¼ of Section 8, Township 130, Range 79 of the Fifth Principal Meridian, Emmons County, North Dakota. Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commission Magrum motioned to approve the building permit for John Allan Schatz to build an 80 X 40 home on Lot 1 of Jangula River Views, Section 8, Township 130, Range 79 contingent that the States Attorney and Building Inspector approve of the deed, setbacks, and obtain necessary signatures on the permit. Seconded by Commissioner Gartner. 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 LP16994 – LP17018, LP17049 – LP17050, Payroll - $115,441.77
Highway Tax – Voucher Numbers LP17051– LP17061, LP17019, Payroll - $71,578.27

The following vouchers were reviewed and approved for payment:

46620	MDU	Utilities	138.73
46629	ND Attorney General	Background Check	15.00
46690	Advanced Business Methods	Clerk/Extension Copier Contracts	422.40
46691	Agtegra Coop	Chemical	1,826.60
46692	API Garage Door, Inc.	Maintenance to Doors	2,253.00
46693	A Train Auto	Shipping Container	3,500.00
46694	Auto Value Linton	Shop Supplies	35.98
46695	Balco Uniform Co., Inc.	Uniforms	188.07
46696	Beastrom Oil Co.	Fuel/Pump	4,989.86
46697	Braaten Law Firm	Legal Services	3,178.50
46698	Burleigh Morton Detention Center	Prisoner Billing	4,400.00
46699	Butler Machinery Co Corp	Parts/Labor	2,469.23
46700	Circle H. Lumber	Material	52.00
46701	Linton City	Water Bill	193.71
46702	Cole Papers, Inc.	Supplies	123.01
46703	The Crazy Daisy LLC	Carwashes	12.00
46704	Dakota Dust Tex, Inc.	Service	487.40
46705	Deis, Nancy	Expense Reimbursement	191.10
46706	Donley, Austin	Hazelton Shop Mowing	450.00
46707	Electronic Communications, Inc.	Lightbar	1,476.00
46708	Emmons County Record	Publishing	826.88
46709	Emmons County Treasurer	Current Expense	140.50
46710	Emmons County Treasurer	Postage	911.55
46711	Fireside Office Products	Supplies	374.07
46712	Hazelton Insurance Agency	Insurance Endorsement	107.00
46713	Jerome Distributing, Inc.	Water Refills	63.00
46714	Linton Auto Body	Parts/Supplies	111.06
46715	Martin Oil Co.	Gas	913.75
46716	MDU	Utilities	1,130.25
46717	New Vision Security LLC	Alarm Monitoring	105.00
46718	Nodak True Value	Supplies	565.79
46719	NDACO Resources Group	Computer/Service Agreement	4,588.19
46720	NDLTAP	Employee Shoulder Pulling	225.00
46721	NW Tire, Inc.	Service	283.76
46722	ODP Business Solutions	Printer Cart	362.76
46723	Office of Adjutant General	Black Hawk Service	4,397.09
46724	Payment Remittance Center	Gas/Fuel/Supplies	216.00
46725	Payment Remittance Center	Gas/Fuel/Supplies	511.93
46726	Payment Remittance Center	Gas/Fuel/Supplies	1,767.74

46727	Payment Remittance Center	Gas/Fuel/Supplies	368.29
46728	Payment Remittance Center	Gas/Fuel/Supplies	211.31
46729	Payment Remittance Center	Gas/Fuel/Supplies	1,815.36
46730	Payment Remittance Center	Gas/Fuel/Supplies	255.10
46731	Power Plan Corp.	Parts	4,011.10
46732	Renschler, Norman	Maintenance to Rice Lake/Langeliers	2,280.00
46733	Sayler Implement, Inc.	Parts	3,718.61
46734	Schneider, Jackie	Food Pantry	500.00
46735	Schwan, Trenton	Beaver Bay Road	1,585.32
46736	Sign Solutions	Signs	1,234.63
46737	Softchoice Corp.	Computer Program	319.96
46738	South Central Regional Water	Water Bill	75.60
46739	TC Specialties	Service	57.00
46740	True North Steel	Culverts	20,736.00
46741	Tyler Technologies, Inc.	Software Program	3,000.00
46742	Unlimited Office Products, Inc.	Checks	343.36
46743	Verizon Wireless	Cell Service	312.80
46744	Wold Engineering, PC	Engineering Grade Raise Braddock	31,850.00
46745	Heartland Waste Management	Service	120.00
46748	Strasburg City	Water Bill	96.86
46749	Information Technology	Internet Access & Netmotion	1,717.45
46750	KEM Electric	Utilities	337.01
46755	BEK Communications	Telephone Service	3,047.94
46757	Hazelton City	Water Bill	46.00

There being no further business before the board, Commissioner Gartner motioned to adjourn the meeting. Seconded by Commissioner Magrum. The meeting adjourned at 2:30 P.M.

Approved: July 1, 2025

Daniel Materi, Chairman
Board of County Commissioners

Marlys Ohlhauser
Emmons County Auditor

OFFICIAL PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
OF EMMONS COUNTY, NORTH DAKOTA
AT IT'S SPECIAL MEETING BY TELECONFERENCE
MAY 15, 2025

Chairman Dan Materi called the meeting to order at 8:15 A.M., with Commissioners James Gartner, Erin Magrum, Craig Miller and Jim Vander Vorst being present.

On the agenda was a liquor license for the Strasburg Blue Room for a special event.

Commissioner Gartner motioned to approve the application and issue a liquor license to the Strasburg Blue Room for a special event held on June 1, 2025 at the Welk Farmstead, Section 21, Township 131, Range 76. Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

There being no further business before the board, Commissioner Vander Vorst mentioned to adjourn the meeting. Seconded by Commissioner Miller. The meeting adjourned at 8:22 A.M.

Approved: June 3, 2025

Dan Materi, Chairman	**Marlys Ohlhauser**
Board of County Commissioners	**Emmons County Auditor**

OFFICIAL PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
OF EMMONS COUNTY, NORTH DAKOTA
AT IT'S REGULAR MEETING
MAY 6, 2025

Chairman Dan Materi called the meeting to order at 9:00 A.M. with Commissioners James Gartner, Erin Magrum, Craig Miller and James Vander Vorst being present. Also present was States Attorney, Joseph M. Hanson.

The Pledge of Allegiance was recited.

The April, 2025 end of month fund balance report and the year to date expenditure reports were distributed to the board.

Commissioner Vander Vorst motioned to approve the minutes of the April 1, 2025 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. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

<u>Old and Unfinished Business:</u>

Commissioner Magrum motioned to appoint Kathryn Holzer to the Emmons County Housing Authority Board to fill the unexpired term of Melvin Jahner. Term is effective May 6, 2025 and will expire on January 1, 2029. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

<u>New Business:</u>

Commissioner Magrum motioned to approve the Utility Permit for South Central Regional Water to install one-inch rural waterline crossing 1 ½ St. SW, Section 11, Township 132, Range 78, and to approve the Utility Permit for KEM Electric to bore cable under gravel roadways on 78th St. SW and Main Ave. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to approve the Plat of Irregular Description, Lot F of Lot 5 & SE ¼ SW ¼ of Section 6, Township 132, Range 76. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the Plat of Tract 1, S ½ SE ¼ of Section 8, Township 131, Range 74, 5th P.M. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the Plat of Irregular Description, Auditor's Lot A, NE ¼ of Section 8, Township 130, Range 76, and to approve the Plat of Irregular Description, Auditor's Lot B, NW ¼ of Section 9, Township 130, Range 76. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the Plat of Irregular Description, Tract 1, in the SE ¼ NE ¼ of Section 24, Township 133, Range 78 of the Fifth Principal Meridian. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to approve the building permit for VV Farms, Inc. to construct a grain bin on the NW ¼ of Section 20, Township 129, Range 76. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the building permit for Loren Vander Vorste to construct a 52 X 48 residence with a 50 X 50 attached garage on the NW ¼ of Section 17, Township 129, Range 76. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Miller motioned to approve the building permit for Dennis Benz to move a 56 X 24 home on the 14 Ac Square in the SE corner of SE ¼ of Section 5, Township 136, Range 76. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the building permit for Ronald Jangula to add a 42 X 20 addition to the existing cabin on the SW ¼ SE ¼ SE ¼ NE ¼ SE ¼ of Section 8, Township 130, Range 79. Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Vander Vorst motioned to approve the building permit for John Zacher to erect a 60 X 40 building for storage use on Lot 3 of Tract B, W ½ SW ¼ of Section 9, Township 130, Range 79. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to approve the building permit for T-Mobile to swap out three parcels on the existing tower located on 7797 Highway 1804 SW, Linton, ND. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the building permit for Justin Burgad contingent upon approval of Western Plains Public Health septic inspection. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

At 9:50 A.M., a County Park Board meeting was held. Present were Commissioners James Gartner, Erin Magrum, Dan Materi, Craig Miller and James Vander Vorst; County Park Board Member, Dean Weiss and County Park Board Chairman, Andy Reis. Also present was Korlene Schmidt representing Kintyre Park Board, Rosalie Rambough representing Braddock City Park Board and Shannon Shirado representing Linton City Park.

County Park Board Chairman, Andy Reis, called the meeting to order. James Vander Vorst motioned to approve the minutes of the May 7, 2024 meeting. Seconded by Dan Materi. All members voting "YES". Motion carried.

County Auditor, Marlys Ohlhauser, presented the following county park budget information to the board:

2024 County Park Expenditures	**$44,518.12**
2025 County Park Budget	**$77,500.00**
YTD 2025 Expense Report	**$ 1,785.23**

Received was a letter from Ann M. Moch, Kintyre Park Board, providing an update on the Kintyre Park for 2024.

Erin Magrum motioned to allocate $3,000.00 to Linton City Park, Hazelton City Park, Braddock City Park Hague City Park and to the park in Kintyre; and to allocate $1,500.00 to the Strasburg City Park and $1,500.00 to the Strasburg Park Expansion. Seconded by James Gartner. All members voting "YES". Motion carried.

Erin Magrum motioned to adjourn. Seconded by James Vander Vorst. The meeting adjourned at 9:20 A.M.

At 9:20 A.M., the Board of County Commissioners reconvened in regular session.

Sheriff Gary Sanders introduced Deputy Joseph James who started his employment with Emmons County on May 1, 2025.

As advertised, at 9:30 A.M., a public hearing was held to receive public comment and direction in regards to a Petition to close the section line from the Northwest Corner of the NW ¼ of Section 27, Township 131, Range 74, and running East for ¾ of a mile. The portion of the section line to be closed is approximately ¾ miles. Also, at 9:40 A.M., a public hearing was held to receive public comment and direction in regards to a Petition to close the section line from the Northeast Corner of the NE ¼ of Section 28, Township 131, Range 74, and running South until it reaches the Northeast corner of the South Half of the North Half of Section 28, Township 131, Range 74. The portion of the section line to be closed is approximately ¼ mile.

Terry Buechler and Douglas Gefroh were present and stated that they want to put up new fencing and would like to see the section lines closed as they haven't been traveled on since the early 80's. There were no citizens present in opposition to close the section lines. The Commissioners had concerns about closing the section line running north and south because the road is travelable, even if it leads to nowhere, and acknowledged the importance of maintaining public access. After further discussion, Commissioner Vander Vorst motioned to close the section line from the Northeast Corner of the NE ¼ of Section 28, Township 131, Range 74, and running South until it reaches the Northeast corner of the South Half of the North Half of Section 28, Township 131, Range 74 due to the condition of the road being unsafe and dangerous for the people to travel. Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried. Commissioner Miller motioned to deny the Petition to close the section line from the Northwest Corner of the NW ¼ of Section 27, Township 131, Range 74, and running East from ¾ of a mile. Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

The Commission shared their frustrations towards the North Dakota Association of County's on how they handled major bills of interest to county government this past Legislative Session. Suggestion was made to bring this topic forward at the next Central Dakota Six-County Organization meeting.

Commissioner Gartner motioned to approve a Gaming Site Authorization beginning July 1, 2025 and ending June 30, 2026 for the Joseph E. Appert, American Legion Post 126, at Cattail Resort. Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried. Present was VA Officer, Brad Huber.

Tabled was the Zoning Ordinance update, Article VI, pages 15 – 18, conditional use requirements.

Tanya Wieler, Independent Human Resource Consultant, telephoned into the meeting with recommended changes to the Employee Handbook. Commissioner Gartner motioned to amend the employee handbook as follows:

Section 3 – EMPLOYMENT POLICIES, Section 3.5 – change the last sentence to read "during this introductory period and throughout the duration of the employment relationship, both the employee and Emmons County have the right to terminate employment without advance notice".
Section 3 – EMPLOYMENT POLICIES, Section 3.16 – amend the third paragraph to read "employment with Emmons County is based on mutual consent, both the employee and Emmons County have the right to terminate employment at will, with or without cause at any point during the employee relationship".

Section 3 – EMPLOYMENT POLICIES, Section 3.16 – remove the words "in advance" from the fourth paragraph.

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

Commissioner's Gartner and Miller reported that they attended the After-Action Review (AAR) at the courthouse auditorium that was conducted by Emergency Manager, Mary Senger. The event was interesting and well attended by participates of the Glencoe Fire event.

Commissioner Miller brought forward discussion relative to sending road department equipment operators to firebreak training.

Jon Martin, PE and Michael R. Rivinius PE, Wold Engineering, P.C., appeared to present a cost estimate in the amount of $671,764.50 for the Cattail Bay Road Cement Stabilization project (East-West 2 miles only). Emmons County was approved for funding through the Special Road Fund Program with the NDDOT. The maximum NDDOT contribution is limited to 60 percent, with the financial participation amount limited to $300,000.00. Commissioner Gartner motioned to accept the $300,000.00 from the Special Road Fund Program through the NDDOT and to proceed with the two-mile Cattail Bay Road Cement Stabilization project. Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Russell Lawler, Road Superintendent, provided a monthly update on activities for the county road department. Some of the employees are attending the NDLTAP shoulder pulling live demo training in McIntosh county. Discussion was held regarding the condition of the road located in between sections 28 and 33, Township 136, Range 75.

Francis Krumm appeared to address concerns about the road system in the Southeast corner of the county. Concerns addressed were large holes on the road going south on 22nd Ave SE, and gravel out on the shoulders of the road.

Commissioner Vander Vorst motioned to approve the application of trust and mobile properties that qualify for the 2024 Primary Residence credit. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to accept Moore Engineering's estimate in the amount of $83,729.00 for the county contribution towards the Linton street overlay project. Seconded by Commissioner Gartner. 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 LP16919 – LP16942, LP16981 – LP16982, Payroll - $112,654.12
Highway Tax – Voucher Numbers LP16983– LP16993, LP16943, Payroll - $74,843.45

The following vouchers were reviewed and approved for payment:

46441	MDU	Utilities	148.34
46444	Martin Oil Co.	Fuel	23,161.00
46454	Puklich Chevrolet	2025 Chevy Silverado Pickup	60,843.00
46528	Job Service ND	Notice of Reimbursement Due	8,386.70
46529	Acme Tools	Tools	502.66
46530	Advanced Business Methods	Extension Copier	396.68
46531	Ampride	Unleaded Gas	52.17
46532	A Train Auto	2025 Utility Trailer	3,800.00
46533	Auto Value Linton	Parts	98.16
46534	Balco Uniform Co., Inc.	Uniforms	728.05
46535	Beastrom Oil Co.	Fuel	5,267.72
46536	BEK Communications	Telephone Service	3,038.92
46537	Bobcat of Mandan	Parts	1,176.52
46538	Braaten Law Firm	Legal Service	7,280.00
46539	Burleigh Morton Detention Center	Prisoner Billing	3,700.00
46540	Butler Machinery Co.	Parts/Labor	3,933.56
46541	Centre, Inc.	Community Service Program	1,200.00
46542	CHS, Inc.	Propane	206.25

46543	Hazelton City	Water Bill	36.00
46544	Linton City	Water Bill	100.83
46545	Strasburg City	Water Bill	92.61
46546	Cole Papers, Inc.	Supplies	341.54
46547	The Crazy Daisy LLC	Carwash	6.00
46548	Dakota Dynamics	HR Services	400.00
46549	Dakota Dust Tex, Inc.	Service	59.30
46550	Dakotaland Auto Glass	Urethane	304.95
46551	Deis, Nancy	Expense Reimbursement	491.30
46552	DMC Wear Parts, LLC	Grading Bit	6,461.65
46553	Dockter's Blacksmith	Supplies	35.77
46554	Electronic Communications	Installed 2way Mobile Radio System	1,557.00
46555	Emmons County Record	Publishing	525.56
46556	Emmons County Treasurer	Current Expense	914.64
46557	Emmons County Treasurer	Post Machine Use	321.93
46558	Fireside Office Products	Supplies	526.55
46559	Hazelton Insurance Agency	Insurance Endorsements	379.00
46560	Heartland Waste Management	Service to Langelier's	120.00
46561	Information Technology Dept.	Internet Access & Netmotion	1,717.45
46562	Jack's Electric & Trenching	Service	1,679.18
46563	Jerome Distributing, Inc.	Water Refills	87.50
46564	John's Autobody & Sales, Inc.	Door Repair	338.70
46565	John's Auto Body and Sales, Inc.	Repair Chevy Tahoe	10,404.66
46566	KEM Electric Coop, Inc.	Utilities	373.96
46567	Kris Engineering, Inc.	Parts	7,403.04
46568	Linde Gas and Equipment, Inc.	Supplies/Welder	4,410.20
46569	Linton Auto Parts	Parts	758.07
46570	Locators & Supplies, Inc.	Reflective Wear	2,502.02
46571	Martin Oil Co.	Gas	3,271.23
46572	MDU	Utilities	1,766.58
46573	Morton County Hwy Dept.	Crack Sealing Oil	6,116.36
46574	New Vision Security, LLC	Monitor Security System	105.00
46575	Nodak True Value	Parts/Supplies	494.86
46576	NDACO	Pre-Employment Drug Testing Fees	126.00
46577	NDACO Resources Group	Server Management	2,403.00
46578	ND County Recorder Association	Dues	500.00
46579	NDLTAP	Employee Roadway Training	175.00
46580	ND One Call	Location Request	3.00
46581	NDPOA	Dues	120.00
46582	ND Peace Officers Association	Dues	80.00
46583	ND State Radio Communications	911 Fees	13,570.57
46584	ND State Radio Communications	LETS	263.00
46585	ND State Surplus Property	Chairs	60.00
46586	NDSU Extension	Salary Reimbursement	14,193.13
46587	NW Tire, Inc.	Tire and Repair	1,941.90
46588	OK Tire Store	Tires	518.32
46589	Braddock Park Board	Contribution	3,000.00
46590	Hague Park Board	Contribution	3,000.00
46591	Hazelton Park Board	Contribution	3,000.00
46592	Linton Park Board	Contribution	3,000.00
46593	Strasburg Park Expansion	Contribution	1,500.00
46594	Strasburg City Park	Contribution	1,500.00
46595	Kintyre Park Board	Contribution	3,000.00
46596	Payment Remittance Center	Gas/Fuel/Supplies	258.82
46597	Payment Remittance Center	Gas/Fuel/Supplies	1,189.76
46598	Payment Remittance Center	Gas/Fuel/Supplies	1,219.45
46599	Payment Remittance Center	Gas/Fuel/Supplies	780.81
46600	Payment Remittance Center	Gas/Fuel/Supplies	1,228.98
46601	Payment Remittance Center	Gas/Fuel/Supplies	483.68
46602	Power Plan Corp.	Parts/Service	10,154.32
46603	Prairie Heating and Air, Inc.	Filters	19.00
46604	Quadient Leasing USA, Inc.	Postal Machine Lease	353.19
46605	Renschler, Norman	Maintenance to Langelier's/Rice Lake	950.00
46606	Sayler Implement, Inc.	Parts	483.01
46607	Schneider, Jackie	Food Pantry	500.00
46608	Sign Solutions	Road Signs	1,612.00
46609	South Central Regional Water	Water	81.00

46610	**Stuckle, Acacia**	**Expense Reimbursement**	**314.80**
46611	**TC Specialties, Inc.**	**Service**	**57.00**
46612	**Tyler Technologies, Inc.**	**Software Training**	**3,780.00**
46613	**Verizon Wireless**	**Cell Service**	**170.90**
46614	**Walk-N-Roll**	**Parts**	**146.40**
46615	**White Cap LP**	**Parts**	**110.97**
46616	**Widmer Poel**	**2024 Audit Expense**	**1,056.00**
46617	**Wold Engineering, PC**	**Engineering for Grade Raise – Braddock**	**18,320.00**

There being no further business before the board, Commissioner Gartner motioned to adjourn the meeting. Seconded by Commissioner Miller. The meeting adjourned at 12:50 P.M.

Approved: June 3, 2025

Daniel Materi, Chairman
Board of County Commissioners

Marlys Ohlhauser
Emmons County Auditor

OFFICIAL PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
OF EMMONS COUNTY, NORTH DAKOTA
AT IT'S REGULAR MEETING
APRIL 1, 2025

Chairman Dan Materi called the meeting to order at 9:00 A.M. with Commissioners James Gartner, Erin Magrum, Craig Miller and James Vander Vorst being present. Also present was States Attorney, Joseph M. Hanson.

The Pledge of Allegiance was recited.

The March, 2025 end of month fund balance report and the year to date expenditure reports were distributed to the board.

Commissioner Magrum motioned to approve the minutes of the March 4, 2025 regular meeting and the March 18, 2025 special meeting. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Vander Vorst motioned to approve the agenda with the addition of a building permit for Wayde and Trish Bauman to construct an 80 X 30 residence with a 44 X 30 attached garage on the Government Lot 2, Less RW and Acres to USA, Section 4, Township 131, Range 79. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Old and Unfinished Business:

Tabled was the Housing Authority Board Member to replace the unexpired term of Melvin Jahner – 2024-2029.

New Business:

Sam Renschler appeared to discuss maintaining Langeliers's Bay Campground and restroom facilities and the facility at Rice Lake for calendar year 2025 at a fee of $190.00 per trip.

Commissioner Miller motioned to adopt the following Proclamation:

WHEREAS, July 2nd, 2025 will mark the 70th Anniversary of the national debut of "The Lawrence Welk Show" on television; a show which was aimed at family friendly variety in acts and music which spanned numerous genres such as Country, Jazz, Pop, Polka, and Patriotic.

WHEREAS, Lawrence Welk, a native of Strasburg, North Dakota took to the national stage values and love for music that started like crops in North Dakota soil and the harvest benefited generations of Americans during times of war and peace, prosperity and difficulty.

WHEREAS, in North Dakota he was recognized in his lifetime such as being inducted into the Rough Rider Hall of Fame in 1961, awarded an honorary degree by North Dakota State University in 1965. Later, his birthplace, the Ludwig and Christina Welk Homestead where he lived until he was 21 was placed on the National Register of Historic Places, and is today open to the public, and owned by the State of North Dakota.

WHEREAS, many North Dakotans are of full or partial German and/or Norwegian descent, it is noteworthy that Lawrence Welk was a German (German Russian) heritage, and Myron Floren originally from Webster, South Dakota was the son of immigrants from Norway and was himself inducted into the Scandinavian American Hall of Fame in Minot, North Dakota in 1984. Their success stories are among the examples of how far Americans from anywhere in America can go with hard work and perseverance.

WHEREAS, "The Lawrence Welk Show" is still aired regularly across America in a number of states including North Dakota (on Sunday evenings in North Dakota) more than 40 years after its last episode, and more than 30 years after his passing.

WHEREAS, his aim at family friendly entertainment is an example of a worthy goal in any generation as in the idea of bringing together quality from the past and present, and worth of all corners of North Dakota to come together to celebrate.

NOW, THEREFORE, The Emmons County Commission hereby proclaims July 2, 2025 Lawrence Welk Day and a day to honor "The Lawrence Welk Show" in Emmons County, North Dakota.

Adopted by the Emmons County Commission on the 1st day of April, 2025.

ATTEST:	**APPROVED:**
s/s Marlys Ohlhauser	**Dan Materi**
County Auditor	**Emmons County Chairman**

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

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

Acacia Stuckle and Nancy Deis, Extension Agents, provided a quarterly narrative report.

The board reviewed zoning ordinances, general provisions in Article II – V, pages 6 – 14. Suggestion was made to include electrical generation, storage, and/or transmission facility to Article II.B conditionally permitted uses, item #10. States Attorney, Joseph M. Hanson, suggested changing item #10 on page 7, Article II.A, Agricultural District to non-farm residences on lots of one (1) acre or more.

Commissioner Magrum motioned to approve the building permit for Adam Feist to construct a 38,500-bushel grain bin on the N ½ SE ¼ and E ½ NE ¼ of Section 24, Township 130, Range 74. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the building permit for New Cingular Wireless PCS, LLC to remove six existing antennas, install twelve new antennas, remove twelve existing RRH radios, install nine new RRH radios, install new surge protectors, remove four DC power trunks, install five new DC power trunks on the cell tower located on the SW ¼ of Section 25, Township 135, Range 77. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to deny the building permit for Landon Twardski to move a house on Lot A in the NE ¼ of Section 19, Township 132, Range 76, due to not fitting in with the county's current zoning ordinances. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Vander Vorst motioned to approve the Plat for Tract 1 in the W ½ of Section 15, Township 135, Range 76 of the Fifth Principal Meridian. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the Plat for Tract A in the S ½ NE ¼ of Section 6, Township 135, Range 76 of the Fifth Principal Meridian. Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the building permit for Nathan and Erin Weiser to construct a 64 X 36 home with a 30 X 39 attached garage on Section 15, Township 135, Range 6. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Materi, Miller and Vander Vorst. Motion carried. Magrum abstained from voting due to conflict of interest.

Commissioner Gartner motioned to approve the application for abatement or refund of taxes for parcel #52-0003-00144-000 for tax year 2024. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to approve the building permit for A-Train Auto LLC to erect a 112 X 54 shop on Lot 4, W ½ of SE ¼ of Section 15, Township 131, Range 76. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Vander Vorst motioned to approve the building permit for Wayde and Trish Bauman to construct an 80 X 30 residence with a 44 X 30 attached garage on Government Lot 2 Less RW and acres to USA, Section 4, Township 131, Range 79. Seconded by Commissioner Miller. Roll Call "YES": Magrum, Materi, Miller and Vander Vorst. Motion carried. Gartner abstained from voting due to conflict of interest.

Eric Hoberg, Napoleon Economic Development, and Jim Guler, Moore Engineering, Inc., appeared to further discuss the proposed Irrigation Project aimed at utilizing water from the Missouri River into Logan County for Irrigation. Eric Hoberg provided a list of fifteen (15) local farmers expressing support for the proposed Irrigation Project and has additional interest from others in the Long Lake and Strasburg areas. Commissioner Gartner had a conversation with a young farmer who emphasized the potential benefits of diversifying crops noting that younger farmers are keen on exploring diverse agricultural practices, which could lead to increased profitability. Last year this local farmer successfully implemented irrigation for crops such as onions.

Jim Guler provided a handout on why this feasible study matters and the scope of the study. The study will help determine the best routes for water distribution from the Missouri River. Creating an irrigation district could allow landowners the ability to increase yields and expand farming opportunities, improve drought resilience and boost the local economy by supporting agricultural production.

The Commissioners were asked to contribute $25,000.00 towards the local cost share of the grant received from the Department of Water Resources to generate the feasibility study. Concerns were addressed regarding the use of county funds for the feasibility study due to compliance with legal and budgetary constraints.

Clint Scherb, NextEra Energy Lead Project Manager Development, appeared to outline plans to apply for a Conditional Use Permit for the proposed Emmons-Logan Energy Storage Project. The fee structure would be similar to that of the previous wind farm project with a suggested fee of $250.00 per battery container resulting in a total of $34,500 for the 138 containers. The Energy Storage project will be located on a 15 acre parcel adjacent to the substation. The anticipated lifespan of the battery system is projected to last between 30 – 35 years.

Russell Lawler, Road Superintendent, provided a monthly update on activities for the county road department. Tyler Scherbenske from RTS Shearing, LLC was present to discuss gravel sampling test results. There was discussion on hiring an additional fulltime equipment operator and purchasing retriever discs for the front of the blades.

Commissioner Gartner brought forward a county JDA (Job Development Authority) after participating in an ILG class "Role of County Commissioner" where commissioners noted that every county and city should ideally have a JDA to facilitate job growth and development and emphasizing the importance of having dedicated funds for economic projects. Emmons County has the authority to levy up to four mills for a JDA. States Attorney Joseph M. Hanson explained that the Board of County Commissioners, by resolution, may create a job development authority for the county, or may discontinue a job development authority which has been created for the county.

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

General and 911 – Voucher Numbers LP16782 – LP16805, LP16842 – LP16843, Payroll - $111,870.96
Highway Tax – Voucher Numbers LP16844– LP16852, LP16806, Payroll - $64,392.49

The following vouchers were reviewed and approved for payment:

46282	MDU	Utilities	215.11
46362	Acme Tools	Parts	213.62
46363	Advanced Business Methods	Extension Copier	390.20
46364	Auto Value Linton	Parts	15.44
46365	Balco Uniform	Uniform Accessories	170.81
46366	Beastrom Oil Co.	Fuel	24,914.44
46367	Braaten Law Firm	Legal Services	4,072.00
46368	Burleigh Morton Detention Center	Prisoner Billing	2,900.00
46369	Burleigh County Emergency Mgmt.	DEM	9,000.00
46370	Central Dakota Frontier Coop	Gas	56.47
46371	Circle H. Lumber	Material	1,183.06
46372	Linton City	Water Bill	98.71
46373	Cole Papers, Inc.	Supplies	77.80
46374	The Crazy Daisy	Carwash	6.00
46375	CREA	Supt. of Schools Service	35.00
46376	Curtis Rud Oil Co.	Propane	67.60
46377	Dakota Dynamics	HR Contract	800.00
46378	Dakota Dust Tex, Inc.	Service	59.30
46379	Electronic Communications, Inc.	Radio Repair	190.00
46380	Emmons County 4H Leader	4H Program	950.00
46381	Emmons County Record	Publishing	511.24
46382	Fireside Office Products	Notary Stamp	26.24
46383	Great Plains Directory Service	Wall Map	155.00
46384	Hulm, Allan	Expense Reimbursement	18.50
46385	Jacks Electric & Trenching	Service	1,783.36
46386	Jerome Distributing, Inc.	Water Refills	143.25
46387	Johnsen Trailer Sales, Inc.	Parts	1,081.62
46388	Kiesler Police Supply	Ammunition	1,176.34
46389	Kriss Engineering, Inc.	System 2000	21,135.40
46390	Lexipol LLC	Police Academy	495.00
46391	Linde Gas & Equipment, Inc.	Material	770.95
46392	Linton Auto Parts	Parts	866.57
46393	Magrum Excavating & Plumbing	Service	1,300.00
46394	Martin Oil Co.	Gas	3,337.24
46395	MDU	Utilities	2,268.69
46396	New Vision Security	Alarm Monitoring	120.00
46397	NDACO Resources Group, Inc.	Computer/Server Support	2,628.00
46398	ND State Surplus Property	File Cabinet	130.00
46399	Outlawn Outdoor Lawn Service	Lawn Service	100.00
46400	Payment Remittance Center	Gas/Fuel/Supplies	335.77
46401	Payment Remittance Center	Gas/Fuel/Supplies	475.95
46402	Payment Remittance Center	Gas/Fuel/Supplies	6,100.65
46403	Payment Remittance Center	Gas/Fuel/Supplies	380.99
46404	Payment Remittance Center	Gas/Fuel/Supplies	1,064.35
46405	Payment Remittance Center	Gas/Fuel/Supplies	648.46
46406	Power Plan Corp.	Parts/Service	3,899.60
46407	Prairie Heating and Air, Inc.	Install Unit Heater	3,908.29
46408	Renschler, Norman	Maintenance to Rice Lake	380.00
46409	Rigging and Tools, Inc.	Tow Strap	728.30
46410	Schneider, Jackie	Food Pantry	500.00
46412	South Central Regional Water	Water Bill	78.00
46413	Strasburg State Bank	Equipment Lease Payments	33,893.55
46414	Strasburg State Bank	Equipment Lease Payment	73,864.15
46415	Stryker Corp	Battery	900.00
46416	Stuckle, Acacia	Expense Reimbursement	75.60

46417	TC Specialties	Service	57.00
46418	Tower Communications	Tower Rent	600.00
46419	Tyler Technologies, Inc.	Software Setup	4,560.00
46420	Unison Bank	Equipment Lease Payment	73,826.06
46421	Unison Bank	Equipment Lease Payment	139,668.44
46422	Unison Bank	Equipment Lease Payment	150,391.47
46423	Verizon Wireless	Cell Service	512.85
46424	Wallwork Truck Center Corp.	Parts	631.02
46425	White Cap LP	Eucofloor	211.94
46426	Wickenheiser, Michael	Reimbursement for Supplies	37.00
46427	Zoom Away	Oil Change/Tire Repair	190.19
46428	Hazelton City	Water Bill	36.00
46429	Emmons County Treasurer	Postal Machine Use	707.76
46430	Office of Attorney General	Scram Fees	155.00
46431	Strasburg City	Water Bill	92.14
46432	KEM Electric	Utilities	445.69
46433	Nodak True Value	Supplies	1,198.38
46435	Information Technology Dept.	Internet Access & Netmotion	1,696.25
46436	Linton Food Center	Supplies	22.19
46437	BEK Communications	Telephone Service	3,047.44
46438	CHS, Inc.	Propane	510.35
46440	Outlawn Outdoor Lawn Service	Lawn Spray	300.00

There being no further business before the board, Commissioner Gartner motioned to adjourn the meeting. Seconded by Commissioner Magrum. The meeting adjourned at 1:15 P.M.

Approved: May 6, 2025

Daniel Materi, Chairman
Board of County Commissioners

Marlys Ohlhauser
Emmons County Auditor

OFFICIAL PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
OF EMMONS COUNTY, NORTH DAKOTA
AT IT'S SPECIAL MEETING BY TELECONFERENCE
MARCH 18, 2025

Chairman Dan Materi called the meeting to order at 11:00 A.M., with Commissioners James Gartner, Erin Magrum, Craig Miller and Jim Vander Vorst being present.

Emergency Manager, Mary Senger, explained the March 18, 2025, Fire Emergency and Burn Restrictions Declaration.

Commissioner Gartner motioned to approve the agenda. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Vander Vorst motioned to approve the Fire Emergency and Burn Restrictions. Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

There being no further business before the board, Commissioner Gartner motioned to adjourn the meeting. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. The meeting adjourned at 11:09 A.M.

Approved: April 1, 2025

Dan Materi, Chairman	**Marlys Ohlhauser**
Board of County Commissioners	**Emmons County Auditor**

OFFICIAL PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
OF EMMONS COUNTY, NORTH DAKOTA
AT IT'S REGULAR MEETING
MARCH 4, 2025

Chairman Dan Materi called the meeting to order at 9:00 A.M. with Commissioners James Gartner, Erin Magrum, Craig Miller and James Vander Vorst being present. Also present was States Attorney, Joseph M. Hanson.

The Pledge of Allegiance was recited.

Commissioner Gartner motioned to approve the minutes of the February 4, 2025 regular meeting. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Miller motioned to approve the agenda with the addition of gravel discussion. Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

<u>Old and Unfinished Business:</u>

Auditor Ohlhauser reported that the NDIRF adjuster completed the claim investigation regarding the farm equipment damage from a rock and ruts in a field, and will be denying the claim because there were no findings where the county is negligent. The adjuster sent an email to Dan Moch asking him to provide her with his story, and he never responded back to her. Commissioner Magrum motioned to remove this item from old and unfinished business on the agenda going forward, unless something resurfaces. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

<u>New Business:</u>

Commissioner Magrum motioned to approve the building permit for Verizon and Crown Castle USA for minor modification to the existing wireless facility in the NE ¼ NW ¼ of Section 25, Township 131, Range 76, W of the 5th P.M., and to approve the building permit for New Cingular Wireless PCS, LLC to install six (6) new antennas, remove twelve (12) RRH radios, install nine (9) new RRH radios. Remove and replace one (1) tower mounted surge protector. Install one (1) new DC power trunk cable on the cell tower in the NE ¼ NW ¼ Less RW, Section 25, Township 131, Range 76. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the application for abatement or refund of taxes for parcel #52-6-446-0 and for parcel #29-0000-04017-000 for tax year 2024. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned authorizing Chairman Materi to execute the Langelier's Bay Annual Management Program, Statement of Receipts and Expenditures for calendar year 2024 and the Annual Management Program and budget for 2025. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to approve the building permit for Richard Weigelt to replace windows, doors and flooring to the residence, tract 425.6 X 177' and tract 3 in the SE ¼ SE ¼ of Section 6, Township 132, Range 76. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

The Six County Commission meeting hosted by McIntosh County will be held on March 11, 2025 in Ashley, ND.

As advertised, at 9:15 A.M., a public hearing was held to receive public comment and direction in regards to a Petition to close the section line in between the N ½ of Section 7, Township 130, Range 75 and the N ½ of Section 8, Township 130, Range 75, pursuant to North Dakota Century Code 24-07-03. Kenny and Danny Nieuwsma were present and provided a history of the road from 1950 to present. States Attorney, Joseph M. Hanson provided his opinion from Chapter 24-07 in the North Dakota Century Code that reads the board of county commissioners, if petitioned by a person having an interest in the adjoining land, after a public hearing, may close section lines which are not used for ten years, are not traveled due to natural obstacles or difficulty of terrain, are not required due to readily accessible alternate routes of travel, or are intersected by interstate highways causing the section line to be a dead end. There were no citizens present in opposition to close the section line. Commissioner Gartner motioned to close the section line. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

The board reviewed zoning ordinance, general provisions and Article 1, RA – Recreation District. Commissioner Magrum motioned to begin a list of amendments with the first amendment proposed for the list would be to take item #2 under 1.A. and move it into item #8 under 1.B. in Article 1. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

There was some discussion regarding the potential hiring of an engineer. Commissioner Gartner reported that the county engineer should have expertise in gravel, culverts, bridges, and if there's going to be a cost share with any of the cities, the engineer should also have expertise on curb and gutter and pavement. Noted was the salary range for an experienced engineer, and the lack of office space in the county shops and courthouse, suggesting possible location at Linton City Hall.

Eric Hoberg, Napoleon Economic Development, and Carl Jackson, Market Engineer for Moore Engineering, Inc., appeared to further discuss the proposed Irrigation project aimed at utilizing water from the Missouri River into Logan County for Irrigation. Eric Hoberg stated that he's trying to make a large impact by utilizing water from the Missouri River for an irrigation project with the potential to impact local agriculture and economic development. Carl Jackson reported that in order for this project to move forward one of the requirements of the Department of Water Resources is that an Irrigation District is formed. This would involve a feasibility study to gauge interest among landowners and assess the potential costs and logistics of establishing an Irrigation District. Requested was for Emmons County to contribute $25,000.00 towards the local cost share of the $200,000.00 grant received from the Department of Water Resources to generate the feasibility study so the district can be brought to a vote of the landowners. Commissioner Magrum expressed concerns about spending $25,000.00 to seek out if landowners want this project, and would like to see a list of landowners that have an interest in the project. Further discussions will be held with Eric Hoberg and local landowners regarding the project.

Commissioner Magrum will take the responsibility of finding a Housing Authority Board Member to replace the unexpired term of Melvin Jahner.

Leon and Therese Beitelspacher appeared to request road maintenance on the one mile stretch running within Section 3 in Township 133, Range 77. Commissioner Magrum motioned to authorize the Road Superintendent to maintain Lyla Lane as he sees fit. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Russell Lawler, Road Superintendent, provided a monthly update stating that the department has been performing maintenance on some equipment, small remodel project to the Linton County Shop, seven blade operators attended roadway foundation basics and gravel quality training in Valley City, opening of culverts, and gravel site testing. Jerry Lauinger and Dustin Huber started employment with the county as equipment operators. Russell Lawler worked out a deal with Morton County on getting tar for the year for the county and the City of Linton. Noted was the access road going into Rice Lake on 96 X Street needs some road maintenance, which is part of the plat agreement.

Commissioner Gartner presented a quote from Verizon Connect for Vehicle Trackers for the road department. After some discussion, Commissioner Magrum motioned to accept the quote from Verizon Connect (option #2) for up to 18 vehicle trackers for a monthly cost of $18.95 per unit with 50% off the first three months. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the Road Maintenance Agreement between Campbell Township and Emmons County for the following services:

Road Grading Services - $350.00 per certified mile
Road Snow Removal - $200.00 per hour

Agreement is effective April 1, 2025 and shall continue until March 31, 2026. Seconded by Commissioner Magrum. 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 LP16782 – LP16805, LP16842 – LP16843, Payroll - $111,870.96
Highway Tax – Voucher Numbers LP16844– LP16852, LP16806, Payroll - $64,392.49

The following vouchers were reviewed and approved for payment:

46125	MDU	Utilities	194.25
46129	NDACO Resources Group	Server Support	2,300.00
46169	ND Attorney General	Criminal Background Check	30.00
46202	Acme Tools	Tools	39.98
46203	Advanced Business Methods	Extension Copier	461.24
46204	Agtegra Redfield Bulk	Service	1,634.04
46205	Ampride	Gas	69.01
46206	Auto Value Linton	Parts	935.17
46207	Beastrom Oil Co.	Propane	8,428.69
46208	Braaten Law Firm	Legal Services	1,312.00
46209	Burleigh Morton Detention Center	Prisoner Billing	2,800.00
46210	Butler Machinery Co.	Parts/Labor	918.62
46211	Camp Knoll LLC	Gravel Lease	175.00
46212	Central Dakota Frontier	Gas	54.33
46213	Central Specialties, Inc.	Kelsch Crossing Project	98,422.41
46214	CHS, Inc.	Propane	1,155.00
46215	Circle H. Lumber	Material	1,757.74
46216	Linton City	Water Bill	100.79
46217	Code 4 Services, Inc.	Replace Lights	58.80
46218	Cole Papers, Inc.	Supplies	302.89
46219	Costco Membership	Dues	65.00

46220	D & B Engraving & Tees	Spelling Bee	7.00
46221	Dakota Business Solutions	Annual Maintenance Postal Machine	450.00
46222	Dakota Dust Tex, Inc.	Service	202.00
46223	Dakota Sound Systems, Inc.	Sound System	42,675.00
46224	Electronic Communications	Micro Holder	200.00
46225	Emmons County Record	Publication	454.34
46226	Emmons County Treasurer	Supplies	85.15
46227	Emmons County Treasurer	Postal Machine Use	302.64
46228	Fireside Office Products, Inc.	Fireside Office Products, Inc.	1,133.66
46229	Information Technology Dept.	Internet Access & Netmotion	1,696.25
46230	Jack's Electronic & Trenching	Supplies and Service	679.82
46231	Ron Jangula Construction	Painting	6,565.20
46232	Johnsen Trailer Sales, Inc.	Parts	36.19
46233	Keller's Hardware	Supplies	98.70
46234	Linde Gas & Equipment, Inc.	Supplies	484.55
46235	Linton Auto Parts	Parts/Labor	753.81
46236	Little Falls Machine, Inc.	Parts	360.08
46237	Martin Oil	Gas	551.30
46238	Matthew Bender& Co., Inc.	ND Court Updates	32.43
46239	MDU	Utilities	2,371.80
46240	Mosset, Robin	Bond	86.00
46241	New Vision Security, LLC	Fire Alarm Monitoring	120.00
46242	Nodak True Value	Parts/Supplies	939.77
46243	NDACO Resources Group, Inc.	Computers/Support	21,441.64
46244	ND Clerks Association	Dues	100.00
46245	NDACTVSO	Dues/Registration Fee	170.00
46246	NDSAA	Dues	400.00
46247	ODP Business Solutions, LLC	Webcam/Supplies	462.37
46248	OK Tire Store	Tires	295.26
46249	Payment Remittance Center	Gas/Food/Supplies	327.54
46250	Payment Remittance Center	Gas/Food/Supplies	761.08
46251	Payment Remittance Center	Gas/Food/Supplies	6,113.15
46252	Payment Remittance Center	Gas/Food/Supplies	285.06
46253	Payment Remittance Center	Gas/Food/Supplies	723.39
46254	Payment Remittance Center	Gas/Food/Supplies	306.41
46255	Pfeifle	Parts and Service	149.10
46256	Prairie Heating and Air, Inc.	Service	686.73
46257	RDO Truck Center	Cover	1,159.77
46258	Renschler, Norman	Rice Lake Maintenance	380.00
46259	RJ Sales and Service	Service	285.70
46260	Sayler Implement, Inc.	Parts	494.93
46261	Schneider, Jackie	Food Pantry	500.00
46262	Sign Solutions	Signs	1,324.61
46263	South Central Regional Water	Water Bill	79.20
46264	Strasburg State Bank	2022 JD Blade Lease Payment	54,104.16
46265	Stuckle, Acacia	Expense Reimbursement	186.20
46266	TC Specialties, Inc.	Service	57.00
46267	Tyler Technologies, Inc.	Software Data Conversion	14,921.40
46268	Unicom	Graphics for Sheriff Vehicle	899.95
46269	Verizon Wireless	Cell Service	593.60
46270	Walk-N-Roll	Parts	10,908.27
46271	Widmer Roel	2023 County Audit	798.00
46272	Wold Engineering, P.C.	Senger Lake Road Project	76,479.50
46275	Hazelton City	Water Bill	36.00
46276	KEM Electric	Utilities	436.02
46277	NDDOT	Bridge Inspections	338.49
46278	Strasburg City	Water Bill	97.32
46283	BEK Communications	Telephone Services	3,054.61

There being no further business before the board, Commissioner Magrum motioned to adjourn the meeting. The meeting adjourned at 12:40 P.M.

Approved: April 1, 2025

Daniel Materi, Chairman
Board of County Commissioners

Marlys Ohlhauser
Emmons County Auditor

OFFICIAL PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
OF EMMONS COUNTY, NORTH DAKOTA
AT IT'S REGULAR MEETING
FEBRUARY 4, 2025

Chairman Dan Materi called the meeting to order at 9:00 A.M. with Commissioners James Gartner, Erin Magrum, Dan Materi, Craig Miller and James Vander Vorst being present. Also present was States Attorney, Joseph M. Hanson.

The Pledge of Allegiance was recited.

Commissioner Magrum motioned to approve the minutes of the January 7, 2025 regular meeting. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Vander Vorst motioned to approve the agenda with the addition of section line discussion. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Old and Unfinished Business:

Further discussion was held regarding county employees being able to volunteer for local organizations, (such as Fire Department, EMS, etc.). Commissioner Magrum motioned that Emmons County allow for county employees to have eight hours of annual volunteer time, approved by the department head, with any modifications being at the discretion of the board of county commissioners. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Reported was the NDIRF insurance claim is still open regarding the farm equipment damage from a road project (rock and ruts in field); therefore, no action was taken.

Discussion was held on updating the Zoning Ordinance Manual where the board agreed to work through a chapter every month with States Attorney Joseph M. Hanson. The commission decided to add zoning ordinance update – general provisions in chapter one on the March agenda.

Chairman Materi and Commissioner Miller looked into the section line matter located on the NW ¼ of Section 7, Township 136, Range 78, 55th St. SW tabled from the December 3, 2024 meeting. Chairman Materi reported that the section line is not drifted in as previously described; instead, there's a 15 – 20-foot embankment and ravine grown over with trees. Citizens are driving on a trail south of the section line. There's a small pile (wheelbarrow size) of cement pieces on the section line. GIS Coordinator, Josh Odden, stated that he found a photo dated back in the 1950's where citizens were driving around the section line. State's Attorney, Joseph M. Hanson, provided an opinion that the county could grant permission to Mr. Woodland to improve the section line using his own equipment to build up the road so that it's drivable; but, the county has no obligation to this road. The board concluded that this is not a county matter.

New Business:

Commissioner Vander Vorst inquired about the section line located in between Sections 4 and 9 in Township 131, Range 74, asking if the county would be responsible if something would happen if the section line gets washed out and impossible to cross. States Attorney, Joseph M. Hanson, stated that this section line is not part of the county's road system, and if the section line becomes dangerous, the county could close access to the road.

Commissioner Gartner motioned to enter into a Limited Services Agreement with Tanya Wieler of Dakota Dynamics, Human Resource Consulting for Local Government, for providing general Human Resource assistance and guidance to Emmons County. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to terminate Easement No. DACW45-2-70-6059 within Section 6, Township 135, Range 78, and release it to the U.S. Army Corp. of Engineers. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Director of Tax Equalization, Christina Seppanen, appeared to present the 2025 agricultural land valuations provided by the Agribusiness and Applied Economics Department of the North Dakota State University. NDSU calculated the statewide average values per acre with the following results:

Cropland	**$910.51**
Non-cropland	**$163.09**
All agricultural land	**$676.46**

Emmons County's average value per acre for the year 2025 is as follows:

Cropland	**$924.38**
Non-cropland	**$165.55**
All agricultural land	**$675.89**

North Dakota Century Code ruling requires County's to be within a tolerance level of 90% - 100% on their agricultural land values determined by the North Dakota State University Agricultural Economics Department.

Commissioner Gartner motioned to maintain a 92% tolerance level to keep the county average in compliance with state requirements. Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

NextEra Energy Resources Representatives, Clint Scherb and Evan Shea, appeared and presented information on a proposed Emmons-Logan Energy Storage Project. The project would be located on a 15-acre parcel adjacent to the substation in Emmons County. The project includes a 140-megawatt, four-hour battery energy storage project (560 megawatt hours), and is aimed to start construction in 2025 with commercial operation targeted for December 2026. The project has a lifespan of 30-35 years.

Tony Holzer and Becky Thatcher-Keller provided an update on the Emmons County Senior Food Services. The State Director for Council on Aging for Senior Services called for a Kidder County Commission meeting to be held to discuss issues with the KESS (Kidder Emmons Senior Services). There were problems with financial reports, releasing money belonging to Emmons Seniors, and bad business decisions with closing down meal sites. After a heated discussion between the State Director, board members, and guests, the Kidder County Commissioners ordered the Secretary/Treasurer with KESS to pay Emmons County Senior Food Service $39,002.90 from a savings account for Emmons County Senior Food Services. The State Director ordered an audit so it's unclear whether the Emmons County Senior Food Services will be receiving more funding. The Kidder County Commissioners asked all the KESS board members and the director to resign effective February 1, 2025. The Commissioners complimented Tony Holzer for the excellent job that he's doing with the Emmons County Senior Food Services. Tony Holzer stated that they are very thankful for the community contributions that they received. Noted was meals on wheels will begin delivery to Strasburg.

Francis Krumm appeared and provided a correction to the public record and comments made at the January 7, 2025 meeting regarding frost boils to the county roads at the time he was the county road superintendent. Mr. Krumm stated that when he was road superintendent, he had a conversation with Emergency Manager, Mary Senger, who recommended that the county supply all the road department employees with county owned cell phones in case of open record requests that their personal information would not be jeopardized. With the help from Mary Senger and FEMA, all grade operators were trained to locate and measure each of the frost boil sites accurately. The employees did an excellent job of locating the frost boils and provided all the paperwork requested by FEMA. After the paperwork was completed, it was turned in to Mary Senger who then filed the paperwork with FEMA. According to the conversation held with Mary Senger, FEMA did not cover the frost boils in Emmons County during that time period, and the denial had nothing to do with the paperwork process. She filed the paperwork the second time and was denied again. There were 309 frost boils, but only 109 needed to be repaired for a cost of $518,159.82. The other frost boils only needed grading. Before Francis Krumm was road superintendent, there was no paperwork or time cards kept by the employees. The Commission agreed that the road department needed to have paperwork and documentation, so they hired Kelly Krumm to do the paperwork. Every hour of every work day over the course of 2020 and 2021 was documented by each employee. The time cards listed what each employee was doing, what piece of equipment was used and the hours spent on each task. This information was used to provide the cost of each road repair project. Books were compiled that contained all the annual road projects completed. Each Commissioner was provided with one of these books that should be handed down to the next commissioner.

Russell Lawler, Road Superintendent, provided a monthly update stating that the department has been blading on warmer days, riprapping out by Larry Leier's and Gefroh's on the federal aid road, doing maintenance in the shop, building fenders on the Low Boy trailer, building racks for outside, and a couple of employees are working on some packers in Strasburg. There was some discussion on various roads that need culvert work, blading and graveling.

Commissioner Gartner reported that he's waiting on a quote from Verizon Wireless for tracking graders and possibly trucks and pickups as a tool to protect the employees.

Commissioner Magrum motioned to amend the 2024 appropriations for prairie dog road by $184,108.10, LATCF by $9,267.12, police contract by $33,971.41, and ARPA by $75,874.92. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to approve the plat for the west 47' of the N ½ of lot 9 of the NE ¼ of the SE ¼ of Section 17, Township 132, Range 79. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to approve the plat for Lot C of the SE ¼ of Section 18, Township 132, Range 76. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Clerk of Court/Recorder, Robin Mosset, introduced Wayne Ehley, newly hired Deputy Clerk of Court and Myckea Gross, newly hired Deputy Recorder.

Commissioner Gartner motioned to approve the application for abatement or refund of taxes for parcel #15-5426-10 for tax year 2024 and to approve the application for abatement or refund of taxes for parcel #22-0000-04698-000 for tax year 2024. 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 LP16720 – LP16741, LP16771 – LP16772, Payroll - $107,501.35
Highway Tax – Voucher Numbers LP16773– LP16781, LP16669, Payroll - $64,193.91

The following vouchers were reviewed and approved for payment:

45964	MDU	Utilities	199.98
45966	ND Attorney General	Background Check	15.00
46045	Job Service ND	Notice of Reimbursement Due	1,998.20
46046	Acme Tools	Tools	504.98
46047	Advanced Business Methods	Extension Copier Contract	386.26
46048	Auto Value Linton	Parts	448.82
46049	Balco Uniform Co., Inc.	Uniforms	331.57
46050	Braaten Law Firm	Legal Service	3,175.88
46051	Burleigh Morton Detention Center	Prisoner Billing	500.00
46052	Butler Machinery Co.	Parts/Labor	4,632.15
46053	Central Dakota Frontier	Starting Fluid	42.09
46054	Centre, Inc,	Community Service Contract	1,200.00
46055	CHS, Inc.	Propane	1,710.75
46056	Linton City	Water Bill	86.18
46057	Code 4 Services, Inc.	Sheriff Vehicle Equipment	7,132.63
46058	Cole Papers, Inc.	Supplies	901.75
46059	Crazy Daisy, LLC	Carwash	6.00
46060	Dakota Business Solutions	Postal Machine Ink	241.00
46061	Dakota Dust Tex, Inc.	Service	202.00
46062	Dickinson Research Ext.	Postage	24.85
46063	Emmons County Record	Publishing	394.22
46064	Emmons County Treasurer	Notary Bond	51.65
46065	Emmons County Treasurer	Postal Machine Use	657.17
46066	Fed Ex	Service	21.53
46067	Fireside Office Products	Supplies	600.85
46068	Galindo, Jordyn	Wages	447.15
46069	Hulm, Allan	Expense Reimbursement	150.00
46070	Jack's Electric & Trenching	Service	813.75
46071	Jerome Distributing	Water Refills	90.25
46072	Linde Gas & Equipment, Inc.	Parts	318.85
46073	Linton Auto Parts	Parts	1,075.76
46074	Martin Oil Co.	Gasoline	3,483.61
46075	MDU	Utilities	2,520.01
46076	Mosset Welding LLC	Service	84.00
46077	New Vision Security, LLC	Panic Alarm Service	860.75
46078	Nodak True Value	Supplies	1,236.69
46079	NDACO	Programs	1,027.40
46080	NRG Resource Group	IT Services/Computers	9,510.74
46081	ND One Call	Location Request	1.50
46082	ND Sheriff's and Deputies Assoc.	Dues	400.00
46083	ND State Radio Communications	Phone Collections	14,779.87
46084	ND State Radio Communications	Everbridge Fee	904.28
46085	ND State Radio Communications	LETS Billing	120.00
46086	NDSU	Software	166.00
46087	NDSU Extension Service	Salary Reimbursement	14,193.19
46088	ODP Business Solutions, LLC	Supplies	55.78
46089	Pahlke Steel	Steel	448.00
46090	Payment Remittance Center	Gas/Fuel/Supplies	213.74
46091	Payment Remittance Center	Gas/Fuel/Supplies	165.00
46092	Payment Remittance Center	Gas/Fuel/Supplies	2,539.34
46093	Payment Remittance Center	Gas/Fuel/Supplies	324.85
46094	Payment Remittance Center	Gas/Fuel/Supplies	343.01
46095	Pearson, Mark	Expense Reimbursement	46.77
46096	Power Plan Corp.	Parts	949.23
46097	Quadient Leasing USA, Inc.	Postage Machine Lease	402.00
46098	RDO Truck Center	Parts/Service	621.60
46099	Renschler, Norman	Maintenance to Rice Lake	380.00
46100	Sanders, Gary	Expense Reimbursement	99.97
46101	Sanders, Gary	Expense Reimbursement	264.05
46102	Sayler Implement, Inc.	Parts	711.56
46103	Schneider, Jackie	Food Pantry	500.00
46104	Softchoice Corp.	Office Programs	1,919.76
46105	South Central Regional Water	Water Bill	81.00
46106	TC Specialties, Inc.	Service	57.00
46107	Twin City Roofing, LLC	Courthouse Roof Repairs	93,162.00
46108	Tyler Technologies, Inc.	School ERP Program	1,769.00
46109	Unlimited Office Products	Supplies	179.70

46110	Verizon Wireless	Cell Service	412.75
46111	Warrens Locks and Keys	Digital Lever and Key Tags	243.50
46112	Widmer Roel	2023 County Audit	3,930.00
46113	Wold Engineering, PC	Engineering	22,476.27
46116	Strasburg City	Water Bill	93.07
46117	Hazelton Insurance Agency, Inc.	NDIRF Premium	78,674.00
46118	Information Technology Dept.	Internet Access & Netmotion	1,611.45
46119	KEM Electric Coop, Inc.	Utilities	434.24
46120	Payment Remittance Center	Gas/Fuel/Supplies	236.55
46126	BEK Communications	Telephone Service	3,007.62
46130	Hazelton City	Water Bill	36.00

There being no further business before the board, Commissioner Magrum motioned to adjourn the meeting. Seconded by Commissioner Miller. The meeting adjourned at 11:30 A.M.

Approved: March 4, 2025

Daniel Materi, Chairman
Board of County Commissioners

Marlys Ohlhauser
Emmons County Auditor

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.

<u>Old and Unfinished Business:</u>

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.

<u>New Business:</u>

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:	**APPROVED:**
s/s Marlys Ohlhauser	**s/s Daniel Materi**
Emmons County Auditor	**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