

## Affidavit of Publication

Colleen Park, being duly sworn, states as follows:

1. I am the designated agent, under the provisions and for the purposes of, Section 31-04-06, NDCC, for the newspapers listed on the attached exhibits.
2. The newspapers listed on the exhibits published the advertisement of: **Public Service Commission - Basin Electric Power; Case No. PU-21-49; 1 or 2** time(s) as required by law or ordinance.
3. All of the listed newspapers are legal newspapers in the State of North Dakota and, under the provisions of Section 46-05-01, NDCC, are qualified to publish any public notice or any matter required by law or ordinance to be printed or published in a newspaper in North Dakota.

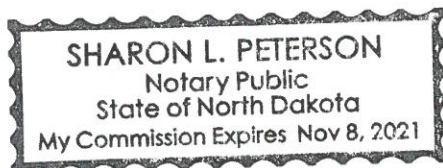
Signed: Colleen Park

State of North Dakota

County of Burleigh

Subscribed and sworn to before me this 3 day of May, 20 21.

Sharon L. Peterson



# CASH: Continued from page 1

10 mills tax levy amounted to approximately \$1.5 million. The oil and gas gross production tax received by Mountrail County was approximately \$20.5 million. This \$20.5 million is the revenue that would have been lost if the County did not levy the county-wide 10 mills tax of \$1.5 million.

We believe it would be fiscally irresponsible to not levy this county-wide tax and lose the oil and gas gross production tax allocation from the State. The long-term infrastructure impact of being an oil county will likely outlast the cash reserves we have acquired; we believe the taxpayers of Mountrail County should not be fully responsible for the infrastructure impact as the entire State benefits from oil and gas industry.

You can learn more about the oil and gas gross production tax allocations via the North Dakota State Treasurer's website at <https://www.treasurer.nd.gov/historical-revenue-distributions>. You could infer that Mountrail County's allocation is a small percentage of the total revenues received by other political subdivision across the State related to oil and gas gross production tax.

## FLOOD AID & STIMULUS MONEY

Another factor resulting in cash reserves is revenue from rent/royalties allocated to Mountrail County for lands acquired by the Federal Government for flood control. From 2009 through 2020, we received approximately \$51 million which was deposited directly into our Road & Bridge Fund. This funding allocated to the County is restricted to road purposes as determined by the county commissioners.

In addition to the flood aid, Mountrail County also received approximately \$120 million from three separate stimulus packages approved through ND Legislation in 2011 through 2017. Each package was required to be spent within the biennium in which it was received or the funding was lost. Furthermore, much of the funding was required to be spent on County roads (either new construction or reconstruction of paved roads) to handle load limits to the 105,500# by legal weight capacity. This costly requirement to design roadways to higher standards was necessary to accommodate the oil industry traffic. All funding available was spent within each biennium as required by the State.

## CAPITAL IMPROVEMENTS

Since 2009, Mountrail County has spent in excess of \$40 million for facility improvements including the Mountrail County Law Enforcement Center (encompassing the Sheriff's Department, Courts, Jail Facility, etc.), the Mountrail County South Complex (encompassing the Road Department, Agricultural and Weed Control, Extension Office, Community Event Center, etc.), additional Road Department Facilities in New Town and Plaza (currently in progress) and much more.

In addition, Mountrail County has spent in excess of \$200 million for major road construction and/or reconstruction. Along with the major projects, the County also has a sustainable budget requirement for annual road maintenance (including chip sealing, striping,

dust control, etc.). To give you an idea of the annual impact, Mountrail County's budget for the 2021 calendar year for the Road & Bridge Department is almost \$66 million. Of the \$66 million budget over \$40 million is budgeted for capital outlay projects and pavement maintenance. Mountrail County's total budget across all funds is just shy of \$100 million. To properly manage and plan for future needs, cash reserves are necessary.

Mountrail County through the Road & Bridge Department maintains a comprehensive Capital Improvement Plan laying out current and future County road projects. Mountrail County takes careful consideration when committing to moving forward with each project to ensure funds are available and proper planning has occurred as each project is a substantial investment in our County road system. For example, one single road project can cost upwards of \$25 million or more. Further, due to the excessive heavy loads, we are experiencing the need to reinvest sooner than anticipated. For example, the Ross South Road was reconstructed in 2012 and required an overlay in 2019. Under normal conditions, the rebuild in 2012 should have lasted until approximately 2032. This forces the County to reevaluate their priorities and scheduled projects within a given budget year.

It is also important to note funding is not the only driving factor in completing capital improvement projects. There is also planning, permitting, acquiring right-of-way, bidding, scheduling (including both time and personnel resources), inclement weather conditions, etc. While Mountrail County strives to complete projects within the year budgeted, it is quite possible a project must be delayed to maintain the integrity of the road system as a whole.

## POLITICAL SUBDIVISION SUPPORT

We believe that each political subdivision is imperative to a community. Therefore, Mountrail County has been and will continue to be committed to providing support to these subdivisions. Even so, Mountrail County's ability to provide funding to other political subdivisions is limited. Generally speaking, county funding can only be used for specific purposes allowed by law.

One area that Mountrail County does provide support is assisting townships with road maintenance for over 750 miles. The County charges the township only \$150 and \$250 per mile per year for road blading and snow removal, respectively. This assistance is on top of the 408 miles that County is already responsible for under the County Road System (approximately 166 miles of pavement, 192 miles of county gravel road and 50 miles of unorganized township roads). Mountrail County, also, pays 50% of dust control costs for townships.

In addition, Mountrail County has provided financial assistance to fire departments, ambulance districts, and cities for the purpose of purchasing equipment for emergency situations. For example, major equipment for fire districts, radio equipment for fire,

ambulance and cities, emergency sirens for cities and recreational park areas, etc.

## CLOSING

If you have been following the approximate numbers, the major sources of funding for the County brought in \$431 million since 2009. Our major road and facility improvements were \$240 million. This would clearly explain why the County has cash reserves. Had legislation not approved the stimulus packages totaling approximately \$120 million, our reserves as mentioned in the State Auditor Report (\$176.8 million) would be much less (\$176.8 million - \$120 million equals \$56.8 million) and the County would be facing difficult decisions within budgeting and planning not only for our road system but also for all the important government services (public safety, court system, veteran's service, human services, etc.) the County provides. Note, the expenditures of \$240 million only reflect capital improvement projects, the County also saw substantial increases in operational costs, such as personnel, technology, and equipment costs, etc., which are all equally important to the County's overall operations.

Further, we understand and know the oil and gas industry is volatile. We know this based on historical experience and current trends (Mountrail County's oil and gas revenues were approximately \$45 million, \$25 million, \$34 million and \$20.5 million in calendar years 2014, 2015, 2018 and 2020, respectively). This volatility makes it extremely difficult to budget from year to year and requires conservatism and caution. In addition, the production and price fluctuation within the oil and gas industry does not create a balanced fluctuation for the County. Mountrail County's operations and commitments to the public are ongoing creating a certain level of dependency on the oil and gas gross production tax revenues. Therefore, it is necessary to maintain large cash reserves to continue to provide a quality level of service even when the oil and gas industry trends downward. In addition, it is important for the County to plan for future infrastructure and operational needs to limit the potential excessive burden on our taxpayers in the future.

In closing, we believe that fiscal responsibility is not only about controlling our spending but also about creating a vision for our future. To be fiscally responsible we must create budgets, track revenues and expenditures, ensure proper allocation and use of funds, minimize debt, and save for the unexpected (because the unexpected always happens). Management of Mountrail County will continue to conscientiously use our reserves and act in the best interest of the citizens of our County.

We urge all citizens to get involved. Our meetings are open to the public and we invite you to share your perspective. Our goal is to do what's best for our County.

Sincerely,  
Your Mountrail County Commissioners  
District 3: Trudy Ruland, Chairman  
District 1: Wayne Olson  
District 2: Joan Hollekim  
District 4: Dan Uran  
District 5: Jason Rice

# Public notices

## Liberty Township

The Liberty Township Annual Meeting will be held **Tuesday, March 16** at 9 am at the home of Tom and Claudia Schneider

Ellen Kellar, Clerk

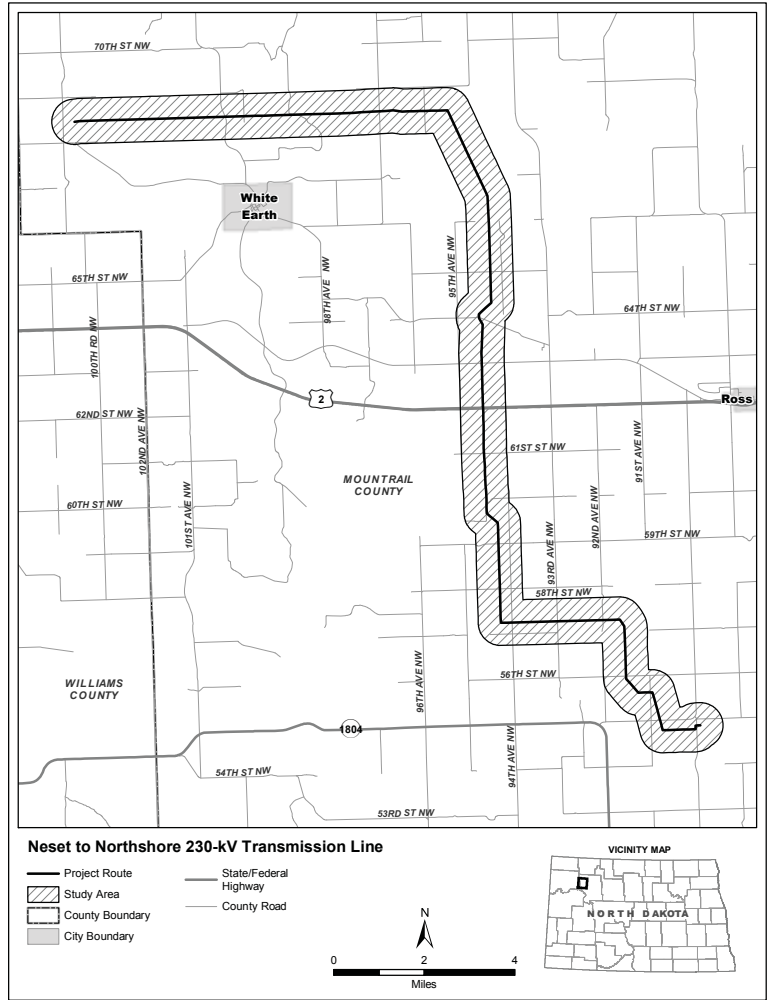
(March 5, 2021)

## Fertile Township

Annual Meeting will be held at Jim Waldock residence on March 16th at 1 PM to discuss any township business and hold election of officers.

Jim Waldock, clerk

(March 5, 12, 2021)



## Wildfire Season Is Here - You Can Help Prevent Unwanted Fires

Wildfire season started early in North Dakota this year. Due to dry and warm conditions, burn bans already are in effect in many counties, including Dunn, Golden Valley, Mercer, Oliver and Stutsman. Plus, the most recent North Dakota drought monitor updates show that 68 percent of the state is in a severe drought, which is a 10 percent increase from only two weeks ago. The North Dakota Forest Service would like to remind you of what you can do to help prevent wildfires.

Wildland fires need three conditions - heat, fuel and oxygen - in order to start. Sources of heat can include fires started by people and their equipment, or rarely lightning. Fuel is plentiful in North Dakota, as we have an abundance of dry prairie grasses and other vegetation. Oxygen is widely available in the air. With these three things, it is possible for wildland fires to start. That is why it is so important that North Dakota residents be careful with fire.

In 2020, 518 wildfires burning a total of 9,205 acres were caused by

humans in the state of North Dakota and were preventable. The leading causes of preventable wildfires in the state of North Dakota in 2020 were debris burning (294 wildfires started), equipment use (160 wildfires started), and smoking (36 wildfires started).

Debris burning was the largest cause of unwanted, human-caused wildfires in the state of North Dakota in 2020. These wildfires were preventable. If you plan to burn debris, be sure that you are aware of the laws in place by the North Dakota Department of Environmental Quality regarding open burning. You can learn more about this by visiting their website <https://deq.nd.gov/AQ/permitting/OpenBurning.aspx>.

If you are towing any kind of a trailer, ensure that your chains are not dragging. Dragging chains cause sparks, which can ignite a wildland fire. Also, be careful when driving on dry brush or grass. Hot exhaust pipes can also ignite wildland fires which you may not notice until it's too late.

Fires should not be started on days with a Red Flag Warning. You can check to see if your county has a Red Flag warning by visiting NOAA's website at <https://www.weather.gov/bis/>. To learn more about how much you can prevent unwanted, human caused wildfires, visit the Smokey Bear website at <https://smokeybear.com/en>.

In order to learn more about what each burn ban entails and to check the current status of your county, please visit the ND Response website at <https://ndresponse.gov/burnban-restrictions-fire-danger-maps>.

## Rain And Snow Observers Needed To Better Assess N.D. Drought

A statewide citizen science network is looking for volunteers for rain and snow reporting in North Dakota.

These observers will measure rainfall, snowfall and snow depth as part of the Community Collaborative Rain, Hail and Snow (CoCoRaHS) Network. Observers also are encouraged to measure the water equivalent of the snow after it melts, although that is optional.

"This is your chance to become part of the state's climatological history and contribute to an accurate flood potential forecast in your local areas as well as drought assessment during the growing season," says Adnan Akyuz, state climatologist and professor of climatological practices at North Dakota State University.

North Dakotans have been collecting precipitation (rainfall and snowfall) data since the early 1900s in most places. When farmers, engineers, and weather and river forecasters ask for precipitation data for a given location, that information comes mostly from volunteer observers.

"Providing that data is fun and easy, and only takes five minutes a day," Akyuz says. "The data, however, have tremendous value for farmers, researchers, forecasters and decision makers."

Data from CoCoRaHS Network volunteers routinely are being viewed and used by meteorologists, hydrologists, emergency managers, city utilities, insurance adjusters, agribusinesses, engineers, science teachers and the National Weather Service. Data are used for many applications, such as flooding, water resource planning, severe storm warnings, teaching Earth science, predicting crop yields and assessing drought.

"We need as many volunteer observers as possible around the state to fill the gap, especially in unrepresented rural areas," Akyuz says.

"We have a lot of training materials for you to participate in this

activity," he adds. "All you need is an interest in weather and a 4-inch cylindrical rain gauge."

"Currently, more than half a million North Dakota citizens are under a drought in the heart of the rural farm and rangeland," Akyuz says. "Your observation in these areas can help identify fast-emerging drought for decision makers to allocate resources to mitigate the impact."

This year, Akyuz is giving away 10 CoCoRaHS designer face masks to random new observers. To qualify for the drawing, you must join the network in March and submit your first observation by April 15.

Visit <https://www.cocorahs.org/Content.aspx?page=application> to learn more about joining the network.

## USDA Extends Application Deadline For The Quality Loss Adjustment Program

The U.S. Department of Agriculture (USDA) is extending the deadline from March 5 to April 9 for agricultural producers to apply for the Quality Loss Adjustment (QLA) Program because of recent winter storms and some clarifications to program rules. The program assists producers, including those here in North Dakota who suffered crop quality losses due to qualifying 2018 and 2019 natural disasters.

"Because of recent winter storms and some program updates, we want to provide five additional weeks for producers to apply for the program," said Zach Ducheneaux, Administrator of the Farm Service Agency (FSA). "I want to make sure eligible producers have the opportunity to apply and work with our team members to help with any questions. We recently clarified policy to ensure producers who sold grain to the feed market due to quality issues are adequately compensated."

The QLA program assists producers whose eligible crops suffered quality losses due to qualifying drought, excessive moisture, flood-

ing, hurricanes, snowstorms, tornadoes, typhoons, volcanic activity, or wildfires.

Eligible crops include those for which federal crop insurance or Noninsured Crop Disaster Assistance Program (NAP) coverage is available, except for grazed crops and value loss crops, such as honey, maple sap, aquaculture, floriculture, mushrooms, ginseng root, ornamental nursery, Christmas trees, and turfgrass sod. Additionally, crops that were sold or fed to livestock or that are in storage may be eligible.

Assistance is available in counties that received a Presidential Emergency Disaster Declaration or Secretarial Disaster Designation, or for drought, a county rated by the U.S. Drought monitor as having a D3 (extreme drought) or higher. Producers in counties that did not receive a qualifying declaration or designation may still apply but must also provide supporting documentation.

FSA will issue payments once the application period ends. If the total amount of calculated QLA payments exceeds available program funding, payments will be prorated.

FSA began accepting applications on Jan. 6 and has received more than 8,100 applications so far.

To apply, contact your local USDA Service Center. Additional information is also available at [farmers.gov/quality-loss](https://farmers.gov/quality-loss). Producers can also obtain one-on-one support with applications by calling 877-508-8364.

## North Dakota Weekly Gas Price Update

North Dakota gas prices have risen 2.3 cents per gallon in the past week, averaging \$2.70/g Monday, according to GasBuddy's daily survey of 493 stations. Gas prices in North Dakota are 37.5 cents per gallon higher than a month ago and stand 41.7 cents per gallon higher than a year ago.

According to GasBuddy price reports, the cheapest station in North Dakota was priced at \$2.49/g Monday while the most expensive was \$3.19/g, a difference of 70.0 cents per gallon.

The national average price of gasoline has risen 3.4 cents per gallon in the last week, averaging \$2.77/g Monday. The national average price is up 29.8 cents per gallon from a month ago and stands 30.6 cents per gallon lower than a year ago.

Historical gasoline prices in North Dakota and the national average going back ten years:

March 8, 2020: \$2.29/g (U.S. Average: \$2.36/g)

March 8, 2019: \$2.39/g (U.S. Average: \$2.47/g)

March 8, 2018: \$2.60/g (U.S. Average: \$2.53/g)

March 8, 2017: \$2.28/g (U.S. Average: \$2.30/g)

March 8, 2016: \$1.84/g (U.S. Average: \$1.81/g)

March 8, 2015: \$2.42/g (U.S. Average: \$2.46/g)

March 8, 2014: \$3.48/g (U.S. Average: \$3.49/g)

March 8, 2013: \$3.71/g (U.S. Average: \$3.71/g)

March 8, 2012: \$3.63/g (U.S. Average: \$3.76/g)

March 8, 2011: \$3.55/g (U.S. Average: \$3.52/g)

Neighboring areas and their current gas prices: Sioux Falls- \$2.75/g, up 6.9 cents from last week's \$2.68/g; Fargo- \$2.68/g, up 9.2 cents per gallon from last week's \$2.59/g; South Dakota- \$2.70/g, up 4.6 cents per gallon from last week's \$2.65/g.

"OPEC surprised oil markets last week by extending oil produc-

tion cuts for another month, ignoring the resurgence in global demand as economies recover from COVID-19. Markets responded by pushing oil prices up some 12 percent. As a result, motorists should prepare for further gas price increases in the weeks and potentially months ahead, with a \$3 per gallon national average potentially less than a month away," said Patrick De Haan, head of petroleum analysis for GasBuddy. "At the start of this year, it was somewhat outlandish to predict a \$3 per gallon national average for the summer driving season, but thanks to the speed of recovery from the pandemic pushing demand higher and OPEC's reluctance to raise oil production, we're on the cusp of making that a reality. It's extremely frustrating as a consumer to feel helpless as prices soar and as millions remain unemployed, so the only advice I can offer consumers is prepare for further increases, and to mitigate OPEC will see the error in their ways at next month's meeting."



### PUBLIC NOTICE

The Mountrail County Planning & Zoning Board will hold a Public Hearing on **Monday, March 22, 2021 at 8:45 A.M.** over via GOTOMEETING or in the Commissioners room in the Mountrail County Courthouse located at 101 North Main Street, Stanley, North Dakota, for the purpose of receiving comments on a zoning/conditional use request filed by Sundre Sand and Gravel, Inc. in concurrence with John Moen, landowner to use agricultural land to mine gravel. Legal Description: A tract 25.00 acres more or less in the N1/2SE1/4SW1/4 and N1/2SW1/4SE1/4 located in Section 8, Township 158 North, Range 92 West (Powers Township).

The provision regarding a zoning/conditional use is contained within the Mountrail County Zoning Ordinance. The Zoning Ordinance may be viewed at the Mountrail County Planner's Office during office hours or online at [www.co.mountrail.nd.us](http://www.co.mountrail.nd.us) under the Planning & Zoning section.

If you are unable to attend the public hearing, written comments can be mailed to Mountrail County Planning & Zoning, PO Box 248, Stanley ND 58784-0248 and will be accepted until Friday, March 12, 2021.

Mountrail County complies with Title VI Nondiscrimination Standards and the Americans with Disabilities Act. These policies can be viewed at the Mountrail County Human Resources Office. If any special accommodations are required, please contact: Mountrail County Title VI Compliance & ADA Coordinator, Nichole Degenstein, P.O. Box 69, Stanley, ND 58784-0069, phone 701-628-8980, Fax: 701-628-2276, email: nicholed@co.mountrail.nd.us.

Planning & Zoning  
Mon, March 22, 2021 8:30 AM - 12:30 PM (CST)

**Please join my meeting from your computer, tablet or smartphone.**

<https://global.gotometting.com/join/356229333>

**You can also dial in using your phone.**  
United States: +1 (312) 757-3121  
Access Code: 356-229-333

New To GoToMeeting? Get the app now and be ready when your first meeting starts: <https://global.gotometting.com/install/356229333>

Dated at Stanley, North Dakota this 26<sup>th</sup> day of February 26, 2021.

Charlie Sorenson, Chairman  
Planning & Zoning Commission

ATTEST:  
Melissa Vachal  
Planning & Zoning Administrator  
Mar. 3, 10, 2021

### PUBLIC NOTICE

The Mountrail County Planning & Zoning Board will hold a Public Hearing on **Monday, March 22, 2021 at 8:50 A.M.** over via GOTOMEETING or in the Commissioners room in the Mountrail County Courthouse located at 101 North Main Street, Stanley, North Dakota, for the purpose of receiving comments on a zoning/conditional use request filed by WBI Energy Transmission in concurrence with Travis and Britta Enget, landowners to use agricultural land as a pipe/material storage yard. Legal Description: A tract 39.7 acres more or less in the NW1/4 located in Section 20, Township 157 North, Range 94 West (White Earth Township).

The provision regarding a zoning/conditional use is contained within the Mountrail County Zoning Ordinance. The Zoning Ordinance may be viewed at the Mountrail County Planner's Office during office hours or online at [www.co.mountrail.nd.us](http://www.co.mountrail.nd.us) under the Planning & Zoning section.

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### STATE OF NORTH DAKOTA PUBLIC SERVICE COMMISSION Basin Electric Power Cooperative 230kV Transmission Line Project - Mountrail County Sitting Application

Case No. PU-21-49  
NOTICE OF FILING AND HEARING  
March 3, 2021

A Public Hearing on the application in Case No. PU-21-49 is scheduled to begin May 6, 2021, at 9:30 a.m. CDT, at Mountrail County South Complex, 8103 61st Street NW, Stanley, ND 58784.

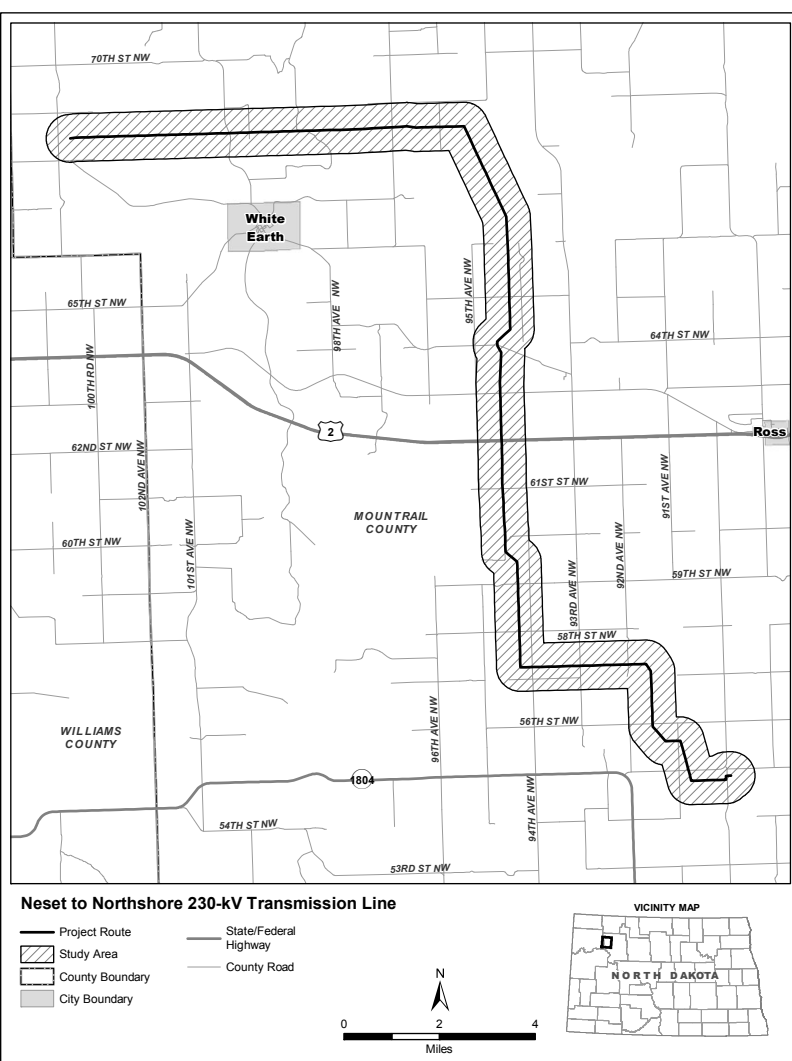
On January 27, 2021, Basin Electric Power Cooperative filed a combined application for a corridor certificate and a route permit to construct approximately 26.5 miles of 230 kV electric transmission line and associated facilities extending from the existing Neset Substation to a new proposed Northshore Substation in Mountrail County, North Dakota, also as shown on the attached map.

The issues to be considered are:

1. Will the location and operation of the proposed facilities produce minimal adverse effects on the environment and upon the welfare of the citizens of North Dakota?
2. Are the proposed facilities compatible with the environmental preservation and the efficient use of resources?
3. Will the proposed facility locations minimize adverse human and environmental impact while ensuring continuing system reliability and integrity and ensuring that energy needs are met and fulfilled in an orderly and timely fashion?

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota, 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials, please notify the Commission at least 24 hours in advance.

PUBLIC SERVICE COMMISSION  
Randy Christmann, Commissioner  
Julie Fedorchak, Chair  
Brian Kroshus, Commissioner  
March 10, Apr. 28, 2021



### PUBLIC NOTICE

The Mountrail County Planning & Zoning Board will hold a Public Hearing on **Monday, March 22, 2021 at 8:35 A.M.** over via GOTOMEETING or in the Commissioners room in the Mountrail County Courthouse located at 101 North Main Street, Stanley, North Dakota, for the purpose of receiving comments on an outlet plat application filed by Wayne Giesen. Legal Description: A tract 39.86 acres more or less, to be known as Outlet 2 of Government Lot 5 located in S1/2SW1/4 Section 11, Township 152N, Range 88W (Plaza Township).

The provision regarding a variance is contained within the Mountrail County Zoning Ordinance. The Zoning Ordinance may be viewed at the Mountrail County Planner's Office during office hours or online at [www.co.mountrail.nd.us](http://www.co.mountrail.nd.us) under the Planning & Zoning section.

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Planning & Zoning Commission

ATTEST:  
Melissa Vachal  
Planning & Zoning Administrator  
Mar. 3, 10, 2021



### PROBATE NO. 31-2021-PR-00027

IN THE DISTRICT COURT,  
NORTH CENTRAL  
JUDICIAL DISTRICT  
COUNTY OF MOUNTRAIL,  
STATE OF NORTH DAKOTA  
In the Matter of the Estate of  
LaVerne Delwin Eliason Deceased.

**NOTICE TO CREDITORS**  
NOTICE IS HEREBY GIVEN that the undersigned has been appointed Personal Representative of the above estate. All persons having claims against the said deceased are required to present their claims within three (3) months after the date of the first publication of this notice or said claims will be forever barred. Claims must either be presented to Julie Eliason, Personal Representative of the estate, whose address is P.O. Box 511, Stanley, ND 58784, or filed with the Court.

Dated this 2nd day of March, 2021.

Julie Eliason, Personal Representative  
of the Estate of  
LaVerne Delwin Eliason, deceased  
Kaitlin DeCrescente, ID #08136  
NEFF EIKEN & NEFF, P.C.

111 East Broadway  
P.O. Box 1526  
Williston, North Dakota 58802-1526  
T: (701) 577-2000  
kad@nefflawnd.com  
Attorneys for the Personal Representative  
Mar. 10, 17, 24, 2021

### PUBLIC NOTICE

The Mountrail County Planning & Zoning Board will hold a Public Hearing on **Monday, March 22, 2021 at 8:40 A.M.** over via GOTOMEETING or in the Commissioners room in the Mountrail County Courthouse located at 101 North Main Street, Stanley, North Dakota, for the purpose of receiving comments on a zoning/conditional use request filed by Sundre Sand and Gravel, Inc. in concurrence with Christopher and Chandra Rystedt, landowners to use agricultural land to mine gravel. Legal Description: A tract 40.00 acres more or less in the SW1/4NW1/4, also known as Government Lot 2 located in Section 19, Township 158 North, Range 91 West (Lostwood Township).

The provision regarding a zoning/conditional use is contained within the Mountrail County Zoning Ordinance. The Zoning Ordinance may be viewed at the Mountrail County Planner's Office during office hours or online at [www.co.mountrail.nd.us](http://www.co.mountrail.nd.us) under the Planning & Zoning section.

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but with demand exceeding supply, the longer the imbalance continues, the longer it will take for any rise in oil production to offset it."

GasBuddy is the authoritative voice for gas prices and the only source for station-level data spanning nearly two decades. Unlike AAA's once daily survey covering credit card transactions at 100,000 stations and the Lundberg Survey, updated once every two weeks based on 7,000 gas stations, GasBuddy's survey updates 288 times every day from the most diverse list of sources covering nearly 150,000 stations nationwide, the most comprehensive and up-to-date in the country. GasBuddy data is accessible at <http://FuelInsights.GasBuddy>.



### INVITATION TO BID

PROJECT: Infection Control/Pandemic Preparedness Unit  
BID CLOSE: Tuesday, April 6th, 2021, 2:00 PM CST  
EAPC PROJECT # 20202030  
DATE OF ISSUE: March 5th, 2021  
BY: EAPC Architects Engineers  
300 3rd Ave SW Suite A  
Minot, ND 58701  
PHONE: (701) 839-4547  
OUTLINE OF PROJECT:  
A 9,500 SF addition to the existing Mountrail County Health Center with a roof helipad. The one story addition will add a clinic space with exam rooms and offices and an operating room suite. Also included a new entrance to the existing Emergency room, an addition to the existing ambulance bay, and a partial basement area for a mechanical equipment room.

TYPE OF BIDS: Single combined Bids will be received from qualified Bidders for all portions of the work. The successful Bidder will be the single Prime Contractor for the Project.

THE OWNER: Mountrail County Medical Center  
615 6th St SE  
Stanley, ND 58784  
BID PLACE: Mountrail County Medical Center

Executive Conference Room  
615 6th St SE  
Stanley, ND 58784

Bids received after the designated time will not be accepted. All interested parties are invited to attend. Bids will be opened and publicly read aloud. It is the Bidder's responsibility to see that mailed or delivered Bids are in the hands of the Owner prior to the time of the Bid opening.

OBTAINING DOCUMENTS: Drawings and Specifications may be examined at the Architect/Engineer's office, and the Owner's office at the address shown above and:

QuestCDN ([www.questcdn.com](http://www.questcdn.com))  
CMD (Construction Market Data)  
Dodge Plan Room and SCAN in Minneapolis.

Minnesota Builders Exchanges at Duluth, St. Cloud, Minnesota Builders Exchange in Minneapolis.

North Dakota Builders Exchanges at Bismarck, Dickinson, Fargo, Grand Forks, Minot, Williston.

South Dakota Builders Exchanges at Aberdeen, Plains Builders in Sioux Falls, Rapid City, Sioux Falls Builders Exchange.

Montana Builders Exchange at Billings.

If Contractor receives the bidding documents from a plans exchange, it is the Contractor's responsibility to contact EAPC Architects Engineers to be added to the plan holders list.

Complete digital project bidding documents are available at [www.questcdn.com](http://www.questcdn.com). You may download the digital plan documents for \$15.00 by inputting Quest project # 7644676 on the website's Project Search page. Please contact QuestCDN.com at 952-233-1632 or info@questcdn.com for assistance in free membership registration, downloading, and working with this digital project information

# Proceedings Of The Board Of County Commissioners

## PROCEEDINGS OF THE MOUNTRAIL COUNTY COMMISSIONERS

### 1. OPENING & ROLL CALL

The Board met in regular session on Tuesday, April 6, 2021 at 9:00 A.M. in the Emergency/Community Room, Mountrail County Courthouse, Stanley ND with Commissioners Joan Hollekim, Jason Rice, Wayne Olson, Trudy Ruland, and Daniel Uran present. Also present was States Attorney, Wade Enget.

Chairman Ruland called the meeting to order.

### 2. BUSINESS

#### A. AGENDA

Moved by Comm. Hollekim, seconded by Comm. Rice, to review and approve the agenda. Upon roll call, all present voted yes. Motion carried.

#### B. MINUTES

Moved by Comm. Olson, seconded by Comm. Rice, to approve the minutes of the March 16, 2021 meeting as corrected. Upon roll call, all present voted yes. Motion carried.

Moved by Comm. Hollekim, seconded by Comm. Uran, to approve the special minutes of the March 30, 2021 meeting as corrected. Upon roll call, all present voted yes. Motion carried.

#### C. FEES

Moved by Comm. Uran, seconded by Comm. Hollekim, to approve the fees for February 2021 for the Recorder and Planning & Zoning and fees for March 2021 for the Recorders Office and Overweight Fines. Upon roll call, Uran, Olson, Ruland, Rice, and Hollekim voted yes. Motion carried.

#### D. PAYROLL

Moved by Comm. Hollekim, seconded by Comm. Uran, to approve the salary increase for a successful completion of the probationary period for Cade Moore with the Road & Bridge to the amount of \$4,125 per month/\$49,500 per year. Upon roll call, Rice, Uran, Olson, Hollekim and Ruland voted yes. Motion carried.

Moved by Comm. Olson, seconded by Comm. Rice, to approve the temporary Employee Classification for Candy Cline with the Road & Bridge as a seasonal Road Worker in the amount of \$20.336 per hour from March 15 to November 30th, 2021. Upon roll call, Hollekim, Uran, Rice, Olson and Ruland voted yes. Motion carried.

Moved by Comm. Hollekim, seconded by Comm. Olson, to approve the salary increase for a promotion to Senior Correctional Officer for Chelsey Columbus with the Mountrail County Corrections to the amount of \$4,991.92 per month/\$59,303 per year. Upon roll call, Ruland, Rice, Uran, Hollekim and Olson voted yes. Motion carried.

Moved by Comm. Uran, seconded by Comm. Hollekim, to approve the salary increase for a successful completion of the probationary period for Jay Jackson with the Road & Bridge to the amount of \$4,465 per month/\$53,580 per year. Upon roll call, Rice, Ruland, Hollekim, Uran, and Olson voted yes. Motion carried.

Moved by Comm. Rice, seconded by Comm. Olson, to approve the regular full-time Employee Classification for Kristoffer Bingen with the Mountrail County Corrections in the amount of \$4,551.73 per month/\$54,621 per year. Upon roll call, Olson, Uran, Hollekim, Rice and Ruland voted yes. Motion carried.

Moved by Comm. Uran, seconded by Comm. Hollekim, to approve the salary increase for a successful completion of the probationary period for Linda Wienbar with Planning & Zoning to the amount of \$3,995 per month/\$47,940 per year. Upon roll call, Uran, Rice, Ruland, Olson and Hollekim voted yes. Motion carried.

Moved by Comm. Uran, seconded by Comm. Olson, to approve the temporary Employee Classification for Michael Trail with the Road & Bridge as a seasonal Road Worker in the amount of \$20.336 per hour from March 22 to November 30th, 2021. Upon roll call, Rice, Ruland, Hollekim, Olson and Uran voted yes. Motion carried.

Moved by Comm. Rice, to approve the regular part time Employee Classification for Rigobera Vergara with the Mountrail County Corrections in the amount of \$21.418 per hour not to exceed 35 hours per week or 1820 hours per year. Upon roll call, Hollekim, Ruland, Olson, Rice, and Uran voted yes. Motion carried.

Moved by Comm. Hollekim, seconded by Comm. Olson, to approve the salary increase for a promotion to Senior Correctional Officer for Troy Maurer with the Mountrail County Corrections to the amount of \$4,991.92 per month/\$59,303 per year. Upon roll call, Ruland, Rice, Olson, Hollekim and Uran voted yes. Motion carried.

### E. STOP PAYMENT

Moved by Comm. Olson, seconded by Comm. Rice, to approve a stop payment on check #12377 and reissue a duplicate check to Jacob Nelson in the amount of \$1,088.87. Upon roll call, Uran, Olson, Ruland, Hollekim and Rice voted yes. Motion carried.

### F. RESIDENTIAL LEASE

Moved by Comm. Hollekim, seconded by Comm. Olson, to approve the residential lease for Ashley Fox for the New Town Rental House in the amount of \$668.25 per month. Upon roll call, Ruland, Hollekim, Rice, Olson and Uran voted yes. Motion carried.

### G. TRANSFER

Discussion was held on the transfer for Oil & Gas to the County Road & Bridge Fund, further discussion will be held at the next commissioner meeting.

Moved by Comm. Hollekim, seconded by Comm. Uran, to table until the next meeting the transfer for Oil & Gas allocations totaling \$1,302,630.74 for current allocations from the General Fund to County Road & Bridge (70% of Oil & Gas Funds). Upon roll call, all present voted yes. Motion carried.

### H. LEGISLATIVE BILLS

Discussion was held on the election bills and SB 2065.

### I. BILLS

Discussion was held on the Human Service Zone vehicles vs. personal mileage on vehicles.

Moved by Comm. Olson, seconded by Comm. Uran, to approve the bills totaling \$311,377.67 and March payroll, checks #11155-11174 and direct deposit #13897-14050 totaling \$1,036,064.82. Upon roll call, Uran, Hollekim, Olson, Rice, and Ruland voted yes. Motion carried. (A complete list of bills is posted on a regular basis on the Mountrail County website @ www.co.mountrail.nd.us under the County Commissioner heading and/or are available for review in the Auditor's Office during normal business hours).

### J. BOARD CONCERNS

Comm. Hollekim stated when Memorial Building is renovated the plans should include office space for the Veterans' Service Office for relocation in the future when needed.

### K. CONTRACT

Discussion was held on the Addendum to Contract for Dittbrenner Woodworking, LLC for the Courthouse basement remodel.

Moved by Comm. Hollekim, seconded by Comm. Olson, to approve the Addendum to Contract with Dittbrenner Woodworking presented by State's Attorney Enget with completion date as of September 1, 2021. Upon roll call, Uran, Ruland, Hollekim, Olson and Rice voted yes. Motion carried.

### L. ABATEMENT DISCUSSION

Wade Enget, State's Attorney updated the board regarding an abatement from Paradigm Midstream, LLC which is centrally assessed with the State of ND.

### 3. APPOINTMENT SCHEDULED 9:01 A.M.

Corey Bristol, Sheriff discussed donating the old emergency radios to the Glenburn Fire Station.

Moved by Comm. Uran, seconded by Comm. Olson, to approve donating the used emergency radios to Glenburn Fire Station. Upon roll call, Olson, Rice, Hollekim, Ruland and Uran voted yes. Motion carried.

### 9:05 A.M.

Chairman Ruland discussed the pending litigation between CSI and Mountrail County. The item will be discussed in an executive session. The legal authority for closing this portion of the meeting is North Dakota Century Code section(s) 44-04-19.1. The topic or purpose of this executive session is to discuss existing litigation on 101st Ave NW and/or new litigation on 74th Ave NW CR4.

Moved by Comm. Uran, seconded by Comm. Olson, to enter into an executive session rather than in an open meeting. Upon roll call, Rice, Ruland, Hollekim, Uran and Olson voted yes. Motion carried.

The executive session began at 9:05 a.m. and was attended by Joan Hollekim, Trudy Ruland, Jason Rice, Dan Uran, Wayne Olson, Wade G. Enget, Brian Schmidt and Stephanie A. Pappa.

The executive session adjourned at 9:34 a.m.

Brian Schmidt, Attorney spoke concerning the litigation on 101st Ave NW.

Moved by Comm. Uran, seconded by Comm. Rice, to approve signing the Mutual Release of All Claims with Central Specialties Inc. in the amount of \$230,000 for the Mountrail County Route 9 Reconstruction Project (101st Ave NW). Upon roll call, Hollekim, Ruland, Rice, Olson and Uran voted yes. Motion carried.

### 9:15 A.M.

Kim Savage, Deputy Tax Assessor met with the board to discuss four abatements on parcels #45-9200400, #58-1204500, #58-1204501 & #14-9000500.

Moved by Comm. Olson, seconded by Comm. Uran, to approve the abatement on parcel #45-9200400 for the 2021 year as recommended by Deputy Tax Assessor Savage. Upon roll call, Rice, Ruland, Uran, Olson and Hollekim voted yes. Motion carried.

Moved by Comm. Hollekim, seconded by Comm. Rice, to approve the abatement on parcel #58-1204500 for the 2021 year as recommended by Deputy Tax Assessor Savage. Upon roll call, Olson, Ruland, Rice, Hollekim and Uran voted yes. Motion carried.

Moved by Comm. Hollekim, seconded by Comm. Rice, to approve the abatement on parcel #58-1204501 for the 2021 year as recommended by Deputy Tax Assessor Savage. Upon roll call, Uran, Rice, Hollekim, Olson and Ruland voted yes. Motion carried.

Moved by Comm. Uran, seconded by Comm. Hollekim, to approve the salary increase for a successful completion of the probationary period for Michael Trail with the Road & Bridge as a seasonal Road Worker in the amount of \$20.336 per hour from March 22 to November 30th, 2021. Upon roll call, Rice, Ruland, Hollekim, Olson and Uran voted yes. Motion carried.

Moved by Comm. Rice, seconded by Comm. Olson, to approve the temporary Employee Classification for Michael Trail with the Road & Bridge as a seasonal Road Worker in the amount of \$20.336 per hour from March 22 to November 30th, 2021. Upon roll call, Rice, Ruland, Hollekim, Olson and Uran voted yes. Motion carried.

Moved by Comm. Uran, seconded by Comm. Rice, to approve the regular part time Employee Classification for Rigobera Vergara with the Mountrail County Corrections in the amount of \$21.418 per hour not to exceed 35 hours per week or 1820 hours per year. Upon roll call, Hollekim, Ruland, Olson, Rice, and Uran voted yes. Motion carried.

Moved by Comm. Hollekim, seconded by Comm. Olson, to approve the salary increase for a promotion to Senior Correctional Officer for Troy Maurer with the Mountrail County Corrections to the amount of \$4,991.92 per month/\$59,303 per year. Upon roll call, Ruland, Rice, Olson, Hollekim and Uran voted yes. Motion carried.

### 9:25 A.M.

Wade Enget, State's Attorney spoke concerning the notice of increase for real estate assessment for the Plaza shop, parcel #59-0028355.

Moved by Comm. Hollekim, seconded by Comm. Rice, to approve a letter be written to Plaza City requesting a property tax exemption for the Plaza Shop, Parcel #59-0028355 as per NDCC 48-02-1-12, with Wade Enget and Wayne Olson representing the County at the equalization meeting for the real estate assessment on this parcel. Upon roll call, Hollekim, Rice, Olson, Uran and Ruland voted yes. Motion carried.

### 9:35 A.M.

Jana Hennessy, Engineer and Mary Trahan, Road & Bridge Accountant met to discuss Road & Bridge.

### 1. 76TH AVE NW

Engineer Hennessy discussed the proposal for geotechnical exploration for CR 3, 76th Ave NW.

Moved by Comm. Hollekim, seconded by Comm. Olson, to approve signing the Material Testing Services, LLC proposal in the amount of \$35,840 for geotechnical exploration for CR 3, 76th Ave NW. Upon roll call, Olson, Uran, Rice, Ruland and Hollekim voted yes. Motion carried.

John Sauber Jr., Sauber Engineering discussed the update of the right of way progress on CR 3, 76th Ave NW.

Moved by Comm. Rice, seconded by Comm. Uran, to approve moving forward with the right of way offers for relocation of structures and well damages as presented for the CR 3, 76th Ave NW Project. Upon roll call, Hollekim, Ruland, Olson, Rice and Uran voted yes. Motion carried.

Engineer Sauber discussed the issues with Christiansons' with the cutting of the hills on CR 3, 76th Ave NW. If a change in the design modifications is approved by the Board, approximately 16,000 CY of borrow would be needed for material and the estimated cost would be \$80,000 for this design change. More discussion will be held at the next Commissioner meeting.

### 2. CR 4 RECONSTRUCTION/PROJECT NO. 04(74)19

Discussion was held on waiting until next Commissioner meeting for further discussion on signing the contracts for CR 4 reconstruction, Project No. 04(74)19 due to litigation with Central Specialties Inc. State's Attorney Enget stated the bid allows 60 days to sign the contract from the bid opening date of February 18, 2020. John

Sauber, Sauber Engineering would write a letter to Gratech, Inc. informing them a notice to proceed was not approved and that they are not permitted to begin work on the CR 4 Project.

3. SAFETY PROJECT HLC-3115(057)/HIGH FRICTION SURFACE TREATMENT ON SANISH HILL

Moved by Comm. Olson, seconded by Comm. Uran, to approve and sign the County Federal Aid Contract and County Federal Aid Contract Bond for safety project HLC-3115(057). Upon roll call, Hollekim, Olson, Ruland, Uran and Rice voted yes. Motion carried.

4. PM 2021, CHIP SEAL PROJECT NO SC3100(021), PCN 23127

Engineer Hennessy discussed the letter regarding the COVID relief funds from NDDOT.

Moved by Comm. Hollekim, seconded by Comm. Uran, to approve the County's share of COVID Relief Allocation funds in the amount of \$135,795.45 be allocated to PM 2021 chip seal project SC3100(021) PCN 23127 which includes CR 14, CR 17, CR 5. Upon roll call, Ruland, Hollekim, Rice, Uran and Olson voted yes. Motion carried.

In addition, Engineer Hennessy would check to see if there are any other paved roads that are in need of chip seal in the 2021 year and report findings to the Board for their consideration.

5. CR 9 (100TH AVE NW) PHASE II

Engineer Hennessy will work with the State's Attorney on the contract from MWEC and make sure all terms are within this contract before signing the relocation agreement. Engineer Hennessy discussed the RM Hoefs and Associates basic data book for right of way prices.

Moved by Comm. Hollekim, seconded by Comm. Uran, to approve the right of way prices of \$1,600 per acre for crop land, \$1,000 per acre for pasture, \$125 per acre for temporary easement and \$1.75 per square foot for residential land for the CR 9, 100th Ave NW Phase II Project. Upon roll call, Uran, Rice, Ruland, Olson and Hollekim voted yes. Motion carried.

### 6. PLAZA SHOP

Moved by Comm. Olson, seconded by Comm. Rice, to approve signing the North Prairie Regional Water District water application for the Plaza Shop. Upon roll call, all present voted yes. Motion carried.

Engineer Hennessy discussed the walk through inspection of the Plaza Shop.

7. R&B BUDGET DISCUSSION/CAPITAL PROJECT FUND

Mary Trahan, Road & Bridge Accountant, discussed the R&B budget and creating the capital construction fund. Accountant Trahan suggested that only construction costs be expended from this proposed new fund and that engineering and right of way costs remain in the County Road & Bridge Fund. Accountant Trahan went through the road projects from prior years and current budget year and the projects that are active vs inactive.

Moved by Comm. Hollekim, seconded by Comm. Uran, to approve setting up a Road & Bridge Capital Construction Fund #213 for the 2021 budget year. Upon roll call, Ruland, Rice, Olson, Hollekim and Uran voted yes. Motion carried.

Moved by Comm. Hollekim, seconded by Comm. Olson, to approve transferring \$5,428,345.53 from the Road & Bridge Fund to the R&B Capital Construction Fund for construction costs for the CR19, 89th Ave NW Project. Upon roll call, Olson, Ruland, Uran, Hollekim and Rice voted yes. Motion carried.

Moved by Comm. Uran, seconded by Comm. Rice, to approve transferring \$14,906,053.01 from the Road & Bridge Fund to the R&B Capital Construction Fund for construction costs for the CR4, 74th St NW Project. Upon roll call, Ruland, Olson, Hollekim, Rice and Uran voted yes. Motion carried.

11:00 A.M.

Laurie Johnson, Jail Administrator met with the board to discuss a vehicle quote.

Moved by Comm. Uran, seconded by Comm. Rice, to approve purchasing a 2021 Ford Interceptor Utility SUV from Nelson Auto Center through the procurement of the ND State Office of Management and State bidding process totaling \$35,562.87 less a trade in allowance of \$11,500. Upon roll call, Ruland, Uran, Hollekim, Rice, and Olson voted yes. Motion carried.

### 11:05 A.M.

Discussion was held with Department Heads concerning COVID-19 issues. Present for the discussion were Mary Trahan, Nichole Degenstein, Jana Hennessy, Karen Babbitt, Melissa Vachal, Lori Hanson, Candice Grillely, Laurie Johnson, Lisa Lapica, Lynette Vachal, Valerie Stammen, Tiffany Thiessen, Mary Dennis, Heather Tomlinson, and Linda Wienbar. No new updates were provided.

Discussion was held on the 80 hours of COVID-19 leave taken. Nichole Degenstein, Human Resource Director stated the employee has not previously utilized the 80 hours of sick leave for reasons related to COVID-19.

Moved by Comm. Uran, seconded by Comm. Rice, to allow the 80 hours of COVID-19 sick leave and that no deductions be made to the employee's regular sick leave balance. Upon roll call, Ruland, Rice, Olson, Uran and Hollekim voted yes. Motion carried.

### 4. ADJOURN

The Board adjourned at 12:56 P.M. to meet in regular session on Tuesday, April 20, 2021 at 9:00 A.M. Accepted and approved this 20th day of April, 2021.

Trudy Ruland, Chairman  
Mountrail County Commissioner  
Stephanie A. Pappa  
Mountrail County Auditor

## PROCEEDINGS OF THE MOUNTRAIL COUNTY COMMISSIONERS

### 1. OPENING & ROLL CALL

The Board met in special session on Tuesday, April 13, 2021 at 8:30 A.M. with GOTOMEETING with Commissioners Trudy Ruland, Wayne Olson, Daniel Uran all present via GOTOMEETING, Joan Hollekim and Jason Rice were present. Also present was Wade Enget, State's Attorney.

Chairman Ruland called the meeting to order.

### 2. APPOINTMENT SCHEDULED 8:30 A.M.

Present were Karen Babbitt, Building Supervisor, Corey Bristol, Sheriff and Pat Dittbrenner, with Dittbrenner Woodworking, LLC

Building Supervisor Babbitt discussed the prepayment requested by Dittbrenner Woodworking, LLC for the Courthouse basement remodel supplies.

Moved by Comm. Olson, seconded by Comm. Rice, to approve a payment in the amount of \$29,000 to Dittbrenner Woodworking, LLC. Upon roll call, Ruland, Rice, Olson, Hollekim and Uran voted yes. Motion carried.

Discussion was held on the demolition of the West side jail cell. Building Supervisor Babbitt discussed that she is waiting on a call back from Chamley Pipe & Salvage to see if this could be done in a timely manner.

### 8:45 A.M.

Chairman Ruland discussed the pending litigation between CSI and Mountrail

County. The item will be discussed in an executive session. The legal authority for closing this portion of the meeting is North Dakota Century Code section(s) 44-04-19.1. The topic or purpose of this executive session is for a discussion of the Order Granting Plaintiffs Motion for Preliminary Injunction, U.S. District Court Case No. 1:21-cv-050.

Moved by Comm. Hollekim, seconded by Comm. Rice, to enter into an executive session rather than in an open meeting. Upon roll call, Rice, Ruland, Hollekim, Uran and Olson voted yes. Motion carried.

The executive session began at 8:45 a.m. and was attended by Joan Hollekim, Trudy Ruland, Jason Rice, Dan Uran, Wayne Olson, Wade G. Enget, Brian Schmidt, Attorney representing Mountrail County, and Stephanie A. Pappa.

The executive session adjourned at 9:03 a.m.

Discussion was held on the District Court proceedings for 74th Ave NW, CR 4. Brian Schmidt, Attorney discussed the options outlined in the U.S. District Court Order Granting Plaintiffs Motion for Preliminary Injunction. The two options set forth by the US District Court are to award the project to Central Specialties LLC as the lowest responsible bidder or to exercise its discretion and reject any and all bids and rebid the project for 74th Ave NW, CR 4. John Sauber, Sauber Engineering discussed the rebidding process. Engineer Sauber stated if the project were to be rebid it tentatively could be awarded around the 18th of May and could delay the completion date. Comm. Uran stated the cons of rebidding would be meeting completion dates and the increase in cost due to the late start date. Comm. Hollekim was concerned about the landowners' disappointment if the project is delayed. Comm. Rice asked if the bid was awarded to Central Specialties, LLC, is there a guarantee they would be able to start before June? Engineer Sauber stated there isn't a way to predict when the construction company would be able to start. State's Attorney Enget stated the County's bid documents allows all bids to be held for 60 days from the date of the bid opening before a contract for this project is signed by the County. Comm. Rice asked if Central Specialties LLC were awarded the bid, would it be possible to use the arbitration as the delay for the contract time deadlines? Brian Schmidt stated Central Specialties LLC could possibly use that argument going forward. A special meeting will be held April 14th at 7:30 a.m. for the bids on 74th Ave NW, CR 4.

3. ADJOURN

The Board adjourned at 9:34 A.M. to meet in special session on Wednesday, April 14, 2021 at 7:30 A.M. Accepted and approved this 20th day of April, 2021.

Trudy Ruland, Chairman  
Mountrail County Commissioner  
Stephanie A. Pappa  
Mountrail County Auditor

## PROCEEDINGS OF THE MOUNTRAIL COUNTY COMMISSIONERS

### 1. OPENING & ROLL CALL

The Board met in special session on Wednesday, April 14, 2021 at 7:30 A.M. with GOTOMEETING with Commissioners Trudy Ruland, Wayne Olson, Daniel Uran all present via GOTOMEETING, Joan Hollekim and Jason Rice were present. Also present was Wade Enget, State's Attorney.

Chairman Ruland called the meeting to order.

### 2. APPOINTMENT SCHEDULED 7:30 A.M.

Chairman Ruland discussed the pending litigation between CSI and Mountrail County. The item will be discussed in an executive session. The legal authority for closing this portion of the meeting is North Dakota Century Code section(s) 44-04-19.1. The topic or purpose of this executive session is for a discussion of the Order Granting Plaintiffs Motion for Preliminary Injunction, U.S. District Court Case No. 1:21-cv-050.

Moved by Comm. Olson, seconded by Comm. Uran, to enter into an executive session rather than in an open meeting. Upon roll call, Uran, Rice, Ruland, Hollekim, and Olson voted yes. Motion carried.

The executive session began at 7:32 a.m. and was attended by Joan Hollekim, Trudy Ruland, Jason Rice, Dan Uran, Wayne Olson, Wade G. Enget, Brian Schmidt, Attorney representing Mountrail County, and Stephanie A. Pappa.

The executive session adjourned at 8:08 a.m.

Present were John Sauber with Sauber Engineering, Attorney Brian Schmidt, and an unidentified person with Central Specialties LLC, and unidentified person with Road & Bridge.

Discussion was held on the two options outlined in the U.S. District Court Order Granting Plaintiffs Motion for Preliminary Injunction which are to award the project to Central Specialties LLC as the lowest responsible bidder or to exercise its discretion and reject any and all bids and rebid the project for 74th Ave NW, CR 4. John Sauber, Sauber Engineering discussed the timeline frame if rebid. Engineer Sauber stated the timeline originally would be 5 months to finish the construction and would be unlikely to finish if this project was rebid.

Moved by Comm. Olson, seconded by Comm. Rice, to table the discussion for 74th Ave NW, CR 4 bids until next meeting to be held on April 20th. Upon roll call, all present voted yes. Motion carried.

### 3. ADJOURN

The Board adjourned at 8:34 A.M. to meet in special session on Monday, April 19, 2021 at 8:00 A.M. Accepted and approved this 20th day of April, 2021.

Trudy Ruland, Chairman  
Mountrail County Commissioner  
Stephanie A. Pappa  
Mountrail County Auditor

## PROCEEDINGS OF THE MOUNTRAIL COUNTY COMMISSIONERS

### 1. OPENING & ROLL CALL

The Board met in special session on Monday, April 19, 2021 at 8:00 A.M. in the Emergency/Community Room, Mountrail County Courthouse, Stanley ND with Commissioners Joan Hollekim, Jason Rice, Wayne Olson, Trudy Ruland, and Daniel Uran present. Also present was States Attorney, Wade Enget.

Chairman Ruland called the meeting to order.

### 2. APPOINTMENT SCHEDULED 8:00 A.M.

Present were John Sauber with Sauber Engineering, Jana Hennessy, Road & Bridge Engineer, Attorney Brian Schmidt representing Mountrail County, Ryan & Allan Minnerath with Central Specialties Inc, Harley Nesheim with Gratech, Dave Abel & Joe Mayer, Sindre Sand & Gravel Inc., Terry Burke with Gratech Company LLC, Corey Bristol, Sheriff, and Shane Hill.

Moved by Comm. Uran, seconded by Comm. Hollekim, to un-table the discussion for 74th Ave NW, CR 4 bids. Upon roll call, all present voted yes. Motion carried.

Wade Enget, State's Attorney discussed

and presented the 70 page Memorandum dated April 19, 2021 that he prepared for the Mountrail County Commissioners regarding the 74th St NW, CR 4 Project. (A copy of the said part of the memo is posted on the Mountrail County website @ www.co.mountrail.nd.us under the County Commissioner heading and/or is available in the Auditors Office during normal business hours).

Discussion was held on the two options outlined in the U.S. District Court Order Case No: 1:21-cv-050 Granting Plaintiffs Motion for Preliminary Injunction which are to award the project to Central Specialties Inc. as the lowest responsible bidder or to exercise its discretion and reject any and all bids and rebid the project for 74th Ave NW, CR 4.

State's Attorney explained the five prior projects with Central Specialties Inc. in detail that the County perceived as non-satisfactory that are listed in the 4/19/2021 Memorandum, which includes:

1) CR 21-West Loop Road Project 92(02)12 Construction year 2013: Failure to resolve issues with Northern Aggregate (gravel pit supplier as chosen by Central Specialties Inc.) within a timely manner caused Mountrail County to lose \$7,848,968.25 of state funding from HB 1358 on this project. Project was constructed in 2013 and aggregate pit release was not resolved until 2018;

2) CR 7-Manitou Road-Project 07(02)3 Construction year 2014: Roadway closure during construction exceeding 14 days due to installation of French Drain, of which Central Specialties Inc. sent the crew home for 4-5 days. Road closure was to help speed the process of fixing the drainage problem, yet Central Specialties Inc. did not stay onsite to complete the work. Unsafe Roadway Barricade-Central Specialties Inc. placed 2 pieces of equipment to stretch across the roadway along with orange/white signs-then left the project. There was no traffic control in place, no flagger personnel to direct traffic or notify the public, lastly the barricade was not visible at night-all items caused unsafe travel conditions for the public, residents and industry alike. This 14 mile roadway section was designed for a 20 year lifespan. However, after just 7 years of roadway usage, Mountrail County is actively seeking pavement repair/reconstruction options due to the inferior quality of this roadway which is so bumpy the Road Department and Commissioners routinely receive calls regarding the unsafe travel;

&lt;

# CASH

continued from page 1

for flood control. From 2009 through 2020, we received approximately \$51 million which was deposited directly into our Road & Bridge Fund. This funding allocated to the County is restricted to road purposes as determined by the county commissioners.

In addition to the flood aid, Mountrail County also received approximately \$120 million from three separate stimulus packages approved through ND Legislation in 2011 through 2017. Each package was required to be spent within the biennium in which it was received or the funding was lost. Furthermore, much of the funding was required to be spent on County roads (either new construction or reconstruction of paved roads) to handle load limits to the 105,500# by legal weight capacity. This costly requirement to design roadways to higher standards was necessary to accommodate the oil industry traffic. All funding available was spent within each biennium as required by the State.

## CAPITAL IMPROVEMENTS

Since 2009, Mountrail County has spent in excess of \$40 million for facility improvements including the Mountrail County Law Enforcement Center (encompassing the Sheriff's Department, Courts, Jail Facility, etc.), the Mountrail County South Complex (encompassing the Road Department, Agricultural and Weed Control, Extension Office, Community Event Center, etc.), additional Road Department Facilities in New Town and Plaza (currently in progress) and much more.

In addition, Mountrail County has spent in excess of \$200 million for major road construction and/or reconstruction. Along with the major projects, the County also has a sustainable budget requirement for annual road maintenance (including chip sealing, striping, dust control, etc.). To give you an idea of the annual impact, Mountrail County's budget for the 2021 calendar year for the Road & Bridge Department is almost \$66 million. Of the \$66 million budget over \$40 million is budgeted for capital outlay projects and pavement maintenance. Mountrail County's total budget across all funds is just shy of \$100 million. To properly manage and plan for future needs, cash reserves are necessary.

Mountrail County through the Road & Bridge Department maintains a comprehensive Capital Improvement Plan laying out current and future County road projects. Mountrail County takes careful consideration when committing to moving forward with each project to ensure funds are available and proper planning has occurred as each project is a substantial investment in our County road system. For example, one single road project can cost upwards of \$25 million or more. Further, due to the excessive heavy loads, we are experiencing the need to reinvest sooner than anticipated. For example, the Ross South Road was reconstructed in 2012 and required an overlay in 2019. Under normal condi-

tions, the rebuild in 2012 should have lasted until approximately 2032. This forces the County to reevaluate their priorities and scheduled projects within a given budget year.

It is also important to note funding is not the only driving factor in completing capital improvement projects. There is also planning, permitting, acquiring right-of-way, bidding, scheduling (including both time and personnel resources), inclement weather conditions, etc. While Mountrail County strives to complete projects within the year budgeted, it is quite possible a project must be delayed to maintain the integrity of the road system as a whole.

## POLITICAL SUBDIVISION SUPPORT

We believe that each political subdivision is imperative to a community. Therefore, Mountrail County has been and will continue to be committed to

providing support to these subdivisions. Even so, Mountrail County's ability to provide funding to other political subdivisions is limited. Generally speaking, county funding can only be used for specific purposes allowed by law.

One area that Mountrail County does provide support is assisting townships with road maintenance for over 750 miles. The County charges the township only \$150 and \$250 per mile per year for road blading and snow removal, respectively. This assistance is on top of the 408 miles that County is already responsible for under the County Road System (approximately 166 miles of pavement, 192 miles of county gravel road and 50 miles of unorganized township roads). Mountrail County, also, pays 50% of dust control costs for townships.

In addition, Mountrail County has provided financial assistance to fire departments, ambulance districts, and cities for the purpose of purchasing equipment for emergency situa-

tions. For example, major equipment for fire districts, radio equipment for fire, ambulance and cities, emergency sirens for cities and recreational park areas, etc.

## CLOSING

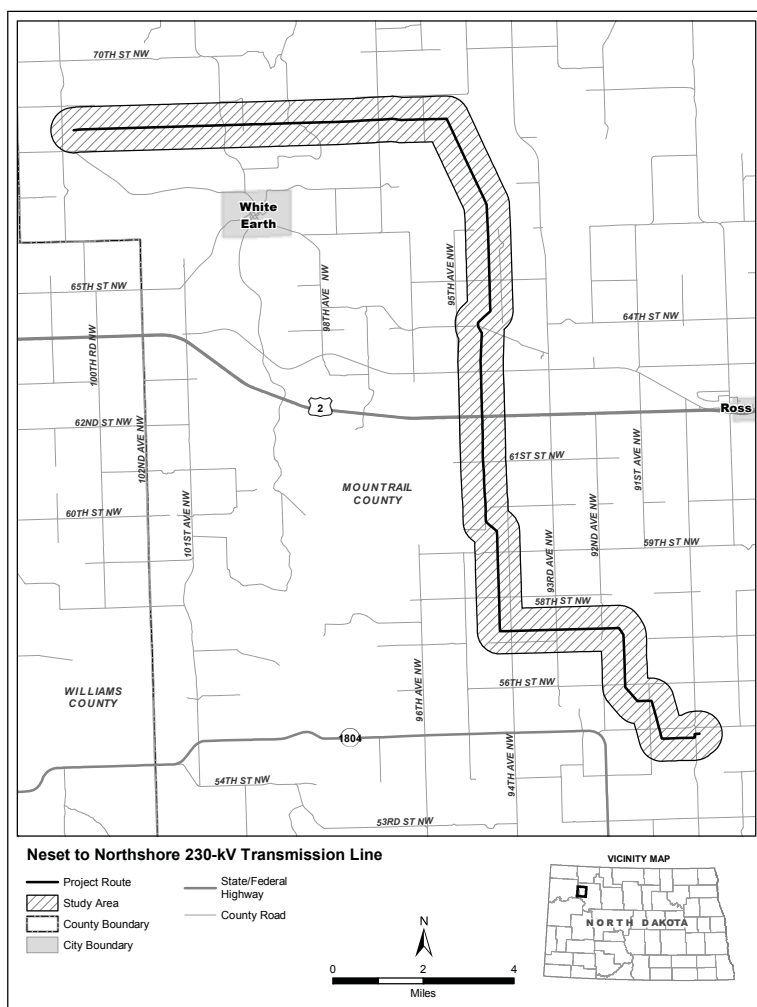
If you have been following the approximate numbers, the major sources of funding for the County brought in \$431 million since 2009. Our major road and facility improvements were \$240 million. This would clearly explain why the County has cash reserves. Had legislation not approved the stimulus packages totaling approximately \$120 million, our reserves as mentioned in the State Auditor Report (\$176.8 million) would be much less (\$176.8 million - \$120 million equals \$56.8 million) and the County would be facing difficult decisions within budgeting and planning not only for our road system but also for all the important government services (public safety, court system, veteran's service, human services, etc.) the County provides. Note,

the expenditures of \$240 million only reflect capital improvement projects, the County also saw substantial increases in operational costs, such as personnel, technology, and equipment costs, etc., which are all equally important to the County's overall operations.

Further, we understand and know the oil and gas industry is volatile. We know this based on historical experience and current trends (Mountrail County's oil and gas revenues were approximately \$45 million, \$25 million, \$34 million and \$20.5 million in calendar years 2014, 2015, 2018 and 2020, respectively). This volatility makes it extremely difficult to budget from year to year and requires conservatism and caution. In addition, the production and price fluctuation within the oil and gas industry does not create a balanced fluctuation for the County. Mountrail County's operations and commitments to the public are ongoing creating

See CASH page 16

# Public Notices



## Public notice of application

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION  
Basin Electric Power Cooperative  
230kV Transmission Line Project –  
Mountrail County  
Siting Application  
Case No. PU-21-49  
NOTICE OF FILING AND HEARING  
March 3, 2021

A Public Hearing on the application in Case No. PU-21-49 is scheduled to begin May 6, 2021, at 9:30 a.m. CDT, at Mountrail County South Complex, 8103 61st Street NW, Stanley, ND 58784.

On January 27, 2021, Basin Electric Power Cooperative filed a combined application for a corridor certificate and a route permit to construct approximately 26.5 miles of 230 kV electric transmission line and associated facilities extending from the existing Neset Substation to a new proposed Northshore Substation in Mountrail County, North Dakota, also as shown on the attached map.

The issues to be considered are:  
1. Will the location and operation of

the proposed facilities produce minimal adverse effects on the environment and upon the welfare of the citizens of North Dakota?

2. Are the proposed facilities compatible with the environmental preservation and the efficient use of resources?

3. Will the proposed facility locations minimize adverse human and environmental impact while ensuring continuing system reliability and integrity and ensuring that energy needs are met and fulfilled in an orderly and timely fashion?

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota, 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials, please notify the Commission at least 24 hours in advance.

PUBLIC SERVICE COMMISSION  
Randy Christmann, Commissioner  
Julie Fedorchak, Chair  
Brian Kroshus, Commissioner  
(March 12, 2021)

## Notice to creditors of Joan Young Bird

Case No. 2021-0007  
IN FORT BERTHOLD  
DISTRICT COURT  
THREE AFFILIATED TRIBES  
NEW TOWN, NORTH DAKOTA  
In the Matter of Estate of  
Joan Theresa Young Bird, deceased.  
NOTICE TO CREDITORS  
NOTICE IS HEREBY GIVEN that  
the undersigned have been appointed personal representatives of the above Estate. All persons having claims against the deceased are required to present their claims within thirty (30) days after the date of first publication or mailing of this notice or said claims will be forever barred. Claims must be either be presented to Personal Representative  
Paul White Owl c/o Williams One PLLC, PO Box 547, New Town, ND 58763 or filed with the Court.  
Dated this 18th day of February 2021.  
/s/ Paul White Owl, Personal Representative  
Damon K. Williams  
Williams One PLLC  
PO Box 547  
New Town, ND 58763  
First Publication on the 5th day of March 2021.  
(March 5, 12, 19, 26, 2021)

## Public notice of school election

NEW TOWN ANNUAL  
SCHOOL ELECTION NOTICE  
One three-year position on the New Town School Board is to be filled at the Annual School Election June 8, 2021. This school board member will represent City Area #2 and only residents from City Area #2 will be eligible to vote in this election.  
Monday, April 5, 2021, 4:00 p.m., is the deadline for filing for candidates who wish to have their names appear on the ballot in the June 8, 2021 school election. Candidates must be resident voters of the area designated. Those who wish to have their name appear on the ballot as candidates may pick up forms at the school business office in the High School/Middle School building.  
CITY AREA #2 is the area: east of East Avenue from 2nd Street to 5th Street, north side of 5th Street from East Avenue to East Central Avenue, including Northern Lights residents east of East Avenue, all City area north of Eagle Drive from East Avenue to College Drive, and includes the Breslin East Addition east of East Avenue, Rainbow Housing and Hillview Housing.  
(March 12, 19, 26, 2021)

**Big Bend Township**  
will hold a regular and  
Annual Meeting on Tuesday,  
March 16th 2021.  
Regular meeting is at 5:00PM and  
Annual Meeting at 6:30PM.  
Meetings will be held at  
Clerk, Kris Wolding's home.  
The Annual Meeting will include the  
elections of one Township  
Supervisor and one Treasurer.  
The 2022 budget and Annual  
Treasurer report will be posted.  
Big Bend Township Clerk,  
Kris Wolding  
(March 5, 12, 2021)

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