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#### **PUBLIC NOTICES**

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.

WHERAS, 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:

s/s Marlys Ohlhauser County Auditor APPROVED: Dan Materi

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

Commissioner 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
46364, Auto Value Linton, Parts 15.44 46365, Balco Uniform, Uniform
Accessories
Services
Center, Prisoner Billing 2,900.00 46369, Burleigh County Emergency
Mgmt., DEM
Gas
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
46377, Dakota Dynamics, HR Contract
46380, Emmons County 4H Leader, 4H Program950.00
46381, Emmons County Record, Publishing511.24
46382, Fireside Office Products, Notary Stamp 26.24
46383, Great Plains Directory Service, Wall Map155.00
46384, Hulm, Allan, Expense Reimbursement
46385, Jacks Electric & Trenching, Service1,783.36
46386, Jerome Distributing, Inc., Water Refills143.25 46387, Johnsen Trailer Sales, Inc., Parts
4638, Kiesler Police Supply,
Ammunition
200021,135.40 46390, Lexipol LLC, Police Academy
Material
46393, Magrum Excavating & Plumbing, Service
46394, Martin Oil Co, Gas 3,337.24 46395, MDU, Utilities 2,268.69

**CONTINUED ON PAGE A15** 

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

Gas/Fuel/Supplies ...... 335.77

Gas/Fuel/Supplies ......475.95

Gas/Fuel/Supplies ...... 6,100.65

46403 Payment Remittance Center Gas/

46401. Payment Remittance Center.

46402 Payment Remittance Center,

Fuel/Supplies 380.99