

**OFFICIAL PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
OF EMMONS COUNTY, NORTH DAKOTA
AT IT'S REGULAR MEETING
MARCH 3, 2026**

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 February, 2026 end of month fund balance report and the year to date expenditure report were distributed to the board.

Commissioner Miller motioned to approve the minutes of the February 3, 2026 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. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Old and Unfinished Business:

The Commission revisited Sheriff Gary Sanders request recommending additional compensation for himself and Chief Deputy Chris Vargas, effective March 1, 2026, due to the additional time and hours worked each month to provide required services while continuing to fill vacant positions. After discussion, Commissioner Magrum motioned to accept Sheriff Gary Sanders proposal as requested with a sunset of April 27, 2026. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Miller and Vander Vorst. "NO": Materi. Motion carried. The Commission will reevaluate the matter at the May Commission meeting.

New Business:

Upon recommendation of the Planning and Zoning Commission, Commissioner Gartner motioned to approve the building permit and the conditional use 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 600A fused disconnect, (1) new CT rated meter with test switch and 400A fused disconnect, new conduit and conductors for power to factory installed ATS and panels in shelters. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Upon recommendation of the Planning and Zoning Commission, Commissioner Gartner motioned to approve the building permit and the conditional use permit for Cavendish Farms, Inc., to construct a new potato storage site consisting of two buildings and a permanent truck scale and scale houses. Each building will consist of two 5 million lb. storage bins and a fan house. Storage buildings and septic system are located on the SE ¼ of Section 26, Township 132, Range 77 and the truck scale and scale house are located on the SW ¼ of Section 26, Township 132, Range 77. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Materi, Miller and Vander Vorst. Motion carried. Commissioner Magrum abstained from voting due to conflict of interest.

Jon Martin, Engineer for Wold Engineering, P.C., appeared to discuss road project SC-FXS-1523(060), PCN 24348, a permanent grade raise project including centerline pipe and riprap beginning 1 mile east and 3 miles north of Braddock, then north 0.8 miles. Commissioner Vander Vorst motioned to approve the plans and specifications and to authorize the project to go out for bid. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried. The bid date is set for May 8, 2026.

The Commission revisited a request from Dave Twardowski for the county to build up approximately one and a half miles of road on 93rd St. SW in Section 14, Township 130, Range 79. According to Jon Martin, Engineer for Wold Engineering, P.C., the road had previously been surveyed by other surveyors, and the North Dakota Supreme Court determined the location of the legal corner. This is the corner the county would need to survey and stake. Martin estimated that surveying and staking every 100 feet along the road, with 100-foot offsets, would cost \$3,120.00. The commission agreed to hire Wold Engineering, P.C. to complete the survey of the road.

Jon Martin also provided cost estimates for grading, cement stabilization and graveling on 84th St. SE/Potato Storage Access Route, including the section west of the Federal Aid Route (2.40 miles) and the section east of the Federal Aid Route (1.25 miles).

Commissioner Magrum 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, 2026 and shall continue until March 31, 2027. Seconded by Commissioner Miller. 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. The department is currently removing and replacing the concrete at the Linton County Shop and continuing work on other routine maintenance projects. An itemized list and information on the 2025 contracted gravel hauling were provided. Lawler requested approval to hire another equipment operator due to a staffing shortage. The request was tabled pending further discussion.

The board tabled the item to consider updating the job description and Employee Manual Section 3.11 (Inclement Weather/Emergency Closing) for Highway Department staff.

Commissioner Magrum motioned authorizing Chairman Materi to execute the Langelier's Bay Annual Management Program, Statement of Receipts and Expenditures for calendar year 2025 and the Annual Management Program and budget for 2026. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

The Central Dakota Six-County Organization meeting will be held on March 10, 2026 @ 10:00 A.M. at the Vets Club in Steele, ND.

Upon recommendation of the Planning and Zoning Commission, Commissioner Vander Vorst motioned to approve the building permit for Wade Huber for building a 24 X 33 addition onto residence and construct a 63 X 48 garage on the S ½ NE ¼ SE ¼ NW ¼ & N ½ SE ¼ NW ¼ of Section 32, Township 133, Range 76. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Upon recommendation of the Planning and Zoning Commission, Commissioner Gartner motioned to approve the building permit for LeRoy Slater for moving in a 16 X 80 trailer house on Lot 7, Coyote Hill, Section 23, Township 132, Range 79. Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Upon recommendation of the Planning and Zoning Commission, Commissioner Gartner motioned to approve the building permit for Fairview Farm, Inc. to erect a grain bin on Section 8, Township 130, Range 75. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Upon recommendation of the Planning and Zoning Commission, Commissioner Miller motioned to approve the building permit for Zach & Whitney Serr to move in a modular home on 330' X 660' Tract in the SE ¼ of Section 33, Township 133, Range 76. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Upon recommendation of the Planning and Zoning Commission, Commissioner Magrum motioned to approve the building permit for Craig Miller to remodel one stall garage into living space and mud room on the NE ¼ Less RW, Section 30, Township 134, Range 76. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Upon recommendation of the Planning and Zoning Commission, Commissioner Gartner motioned to approve the Plat of Tract 1, SW ¼ NE ¼ & the SE ¼ NW ¼ of Section 22, Township 134, Range 78, 5th P.M. and Plat of Tract 2, S ½ NE ¼ of Section 22, Township 134, Range 78, 5th P.M. 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 next item on the agenda was an executive session with Derrick Braaten to discuss attorney consultation regarding pending litigation, specifically the Summit Solutions Pipeline appeal. Chairman Materi read information provided by State's Attorney Joseph M. Hanson. According to Mr. Hanson, this item may be discussed in executive session pursuant to NDCC 44-04-19.1 and 44-04-19.2, which authorizes a governing body to meet in executive session for attorney consultation regarding pending or reasonably foreseeable litigation.

After the executive session, the board will reconvene in an open meeting. Chairman Materi asked for a motion to discuss this topic in executive session rather than in an open meeting. Commissioner Magrum made a motion to enter into executive session for attorney consultation. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

The executive session adjourned at 10:59 A.M. and the meeting reconvened in regular session.

The board granted permission for Extension Agent, Nancy Deis, to use the county vehicle while performing work-related field inspections.

Commissioner Vander Vorst motioned to enter into a funding agreement for the 2027-2029 biennium to receive reimbursement for providing clerk of district court services. 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 – \$111,063.98
Highway Tax - \$66,191.35

The following vouchers were reviewed and approved for payment:

50990	Verdoorn, Candace	Refund of Building Permit	100.00
50996	Acme Tools	Tools	1,637.34
50997	Advanced Business Methods	Clerk of Court Copier Contract	477.41
50998	Beastrom Oil Co.	Propane	1,072.80
50999	Braaten Law Office	Legal Services	1,288.00
51000	Burleigh Morton Detention Center	Prisoner Billing	6,566.56
51001	Butler Machinery Co.	Parts/Labor	1,832.83
51002	Camp Knoll LLC	Gravel Pit Lease	175.00
51003	Central Dakota Frontier	Fuel	93.55
51004	Central Dakota Six-County Organ.	Dues	420.00
51005	CHS, Inc.	Propane	825.00
51006	Circle H. Lumber	Material	576.05
51007	Cole Papers, Inc.	Supplies	1,922.87
51008	Dakota Dust Tex, Inc.	Service	169.53
51009	Dakota Dynamics	HR Contract	800.00
51010	Deis, Nancy	Expense Reimbursement	30.00
51011	Dockter's Welding	Service	122.00
51012	Electronic Communications, Inc.	Portable Radio Battery	90.00
51013	Emmons County Record	Publishing	580.81
51014	Emmons County Treasurer	Motor Vehicle Licensing	25.00
51015	Emmons County Treasurer	Postal Machine Use	493.56
51016	Fireside Office Products	Supplies	208.35
51017	Force America Distribution	Couplers	1,847.10
51018	Jerome Distributing, Inc.	Water Refills	99.50
51019	Johnsen Trailer Sales, Inc.	Parts	4,591.05
51020	Keller's Hardware	Supplies	29.65
51021	Lexipol, LLC	Police One Academy	519.75
51022	Linstar	Set Up and Design Fee	200.00
51023	Linton Auto Parts	Parts	1,471.97
51024	Locators and Supplies, Inc.	Cabinet, Mounting Brackets, Supplies	3,486.61
51025	Martin Oil Co.	Gas	3,381.40
51026	MDU	Utilities	2,465.58
51027	NDACO	Dues	7,224.00
51028	New Vision Security LLC	Fire & Burglar Alarm Monitoring	225.00
51029	Nodak True Value	Supplies	744.68
51030	North Central International	Parts	446.06
51031	NW Tire, Inc.	Tires and Supplies	7,118.76
51032	CDP Business Solutions	Ink	147.66
51033	Pahlke Steel	Supplies/Labor	1,207.80
51034	Payment Remittance Center	Gas/Fuel/Supplies	296.34
51035	Payment Remittance Center	Gas/Fuel/Supplies	906.40
51036	Payment Remittance Center	Gas/Fuel/Supplies	798.94
51037	Payment Remittance Center	Gas/Fuel/Supplies	3,242.60
51038	Payment Remittance Center	Gas/Fuel/Supplies	208.53
51039	Power Plan Corp.	Parts	3,844.85
51040	RDO Truck Center	Parts	1,747.11
51041	Renschler, Norman	Maintenance to Rice Lake	380.00
51042	Rigging & Tools, Inc.	Socket	100.80
51043	Schneider, Jackie	Food Pantry	500.00
51044	South Central Regional Water	Water Bill	91.68
51045	Spiffy Biffs	Rental	105.25
51046	Strasburg Insurance Agency	Notary Bond	100.00
51047	Strasburg State Bank	Equipment Lease Payment	54,104.16
51048	Stuckle, Acacia	Expense Reimbursement	88.45
51049	TC Specialties, Inc.	Service	57.00
51050	Tyler Technologies, Inc.	Doc Pro Services	1,500.00
51051	Vanguard Appraisals, Inc.	Network Upgrade	5,417.00
51052	Verizon Wireless	Cell Service	260.10
51053	Verizon Wireless	Cell Service	297.80
51054	Warrens Locks & Keys	Rekey	60.00
51055	Widmer Roel	Auditing	19,412.40
51059	BEK Communications	Telephone Service	3,006.57
51060	Information Technology Dept.	Internet Access & Netmotion	1,647.10
51061	KEM Electric	Utilities	467.81
DD	Linton City	Water Bill	100.64
DD	Hazelton City	Water Bill	57.00
DD	Ehley, Wayne	Reim Notary Application	69.90
DD	Howe, Myckea	Reim Notary Application	69.90
DD	Strasburg City	Water Bill	95.95

There being no further business before the board, Commissioner Magrum motioned to adjourn the meeting. Seconded by Commissioner Gartner. The meeting adjourned at 12:00 P.M.

Approved: April 7, 2026

**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 3, 2026**

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 January, 2026 end of month fund balance report and the year to date expenditure report were distributed to the board.

Commissioner Vander Vorst motioned to approve the minutes of the January 6, 2026 regular meeting. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to approve the amended agenda, including the addition of the Linton Municipal Airport update under Old and Unfinished Business. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Old and Unfinished Business:

The Commission discussed a potential amendment to the haul road agreement to add a project manager who would be responsible for overseeing all project activities, including management of load pass permits.

Commissioner Miller motioned to appoint Charlotte Abrams to the County Committee Board. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum reported that the airport authority board met and discussed maintaining a five-member board structure consisting of one member from the county commission, one member from the county at large, and three members from the City of Linton. Commissioner Magrum volunteered to serve as the county commissioner representative for the remainder of his term. The Airport Authority Board also reviewed the airport's financials and long-term direction, focusing on ideas to generate revenue and improve self-sufficiency. Commissioner Gartner stated that he would like to see another county resident serve on the board to increase county involvement in the airport.

New Business:

Director of Tax Equalization, Christina Seppanen, reported that a mobile home in Emmons County is delinquent on property taxes. The family has indicated they do not plan to pay any property taxes for 2025 or 2026 and intend to abandon the property. The consensus of the commission was for the county to take ownership, abate the taxes, and have the road department remove the property from Sunrise Trailer Park. After further discussion, Commissioner Gartner motioned to abate the property taxes on the mobile home. Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Discussion was held regarding property owners constructing buildings without first obtaining a building permit. According to State's Attorney, Joseph M. Hanson, current policy requires that the building permit fee to be doubled when construction occurs without first obtaining a permit.

Sheriff Gary Sanders requested and recommended additional compensation for himself and Chief Deputy Chris Vargas, effective March 1, 2026, due to the additional time and hours worked each month to provide required services while continuing to fill vacant positions. Commissioner Magrum motioned to accept Sheriff Gary Sanders temporary proposal for compensation effective March 1, 2026. Seconded by Commissioner Vander Vorst. Roll Call "YES": Magrum and Vander Vorst. "NO": Gartner, Materi and Miller. Motion failed. Further discussion will be held at the March meeting.

Jon Martin, Engineer with Wold Engineering, P.C., appeared to report that Emmons County was awarded a Flex Funding grant from the state for a grade raise project on 17th Avenue SE north of Braddock. The engineer's estimated cost of the project is \$2,912,465. Mr. Martin also reported that Emmons County was awarded funding for the Cattail Bay Road Cement Stabilization project (the first two miles from Highway 1804) through the state's Special Road Funding (SRF) program. The engineer's estimated cost of this project is \$671,764.50.

Commissioner Magrum motioned to enter into a Preliminary and Construction Engineering Services Agreement with Wold Engineering, P.C. for the Cattail Bay Road/Winoma Island Cement Stabilization project on 89th St. SW. Seconded by Commissioner Gartner. 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. The Strasburg shop project is progressing well, and the Linton shop is receiving new lighting. Employees are working on general maintenance and some snow removal.

As advertised, sealed bids were opened for the 2013 Ford Explorer. One bid was received in the amount of \$2,000.00, and another bid was received in the amount of \$2,010.00. Commissioner Magrum motioned to accept the high bid of \$2,010.00. 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.

Sheriff Gary Sanders requested that the Commission consider disabling comments on the Emmons County social media page. Commission Magrum motioned to turn off comments on the Emmons County social media page. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned that Emmons County adopt the social media policy shared by Burleigh County. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

The Emmons County Weed Board requested clarification regarding the advertising process for the Secretary position, and the commission confirmed that the position should be advertised countywide.

Commissioner Miller motioned to approve the building permit for Kelly Nieuwsma for moving in a 28 X 72 double wide trailer and a utility shed, and construct a 28 X 40 three stall garage on the NE quarter of Section 17, Township 129, Range 75. Seconded by Commissioner Vander Vorst. Roll Call "YES": Gartner, Materi, Miller and Vander Vorst. Motion carried. Commissioner Magrum abstained from voting due to conflict of interest.

Commissioner Gartner motioned to approve the application for abatement or refund of taxes for parcel #15-0000-05491-000 for tax year 2025. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the Plat, Lot 1 in the Northeast ¼ of Section 32, Township 131, Range 74 of the 5th P.M., Emmons County, North Dakota. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

The Commission reviewed information received from Cavendish Farms for a new potato storage site project.

The following payroll and expense for reimbursement vouchers were examined, approved and ordered paid:
 General and 911 – \$111,063.98
 Highway Tax - \$66,191.35

The following vouchers were reviewed and approved for payment:

50843	MDU	Utilities	150.49
50884	Acme Tools, Inc.	Tools	513.01
50885	Advanced Business Methods	Extension Copier Contract	312.48
50886	Agtegra Coop Strasburg	Maxtron	3,234.20
50887	API Garage Door, Inc.	Service to Doors	285.00
50888	Auto Value Linton	Parts	110.09
50889	Beastrom Oil Co.	Propane and Supplies	1,511.00
50890	Braaten Law Firm	Legal Services	3,357.00
50891	Benco Equipment	Parts	178.71
50892	Burleigh Morton Detention Center	Prisoner Billing	3,200.00
50893	Butler Machinery Co.	Parts/Labor	27,805.38
50894	Central Dakota Frontier	Gas	117.15
50895	Centre, Inc.	Community Service Probation Contract	1,200.00
50896	Circle H. Lumber	Material	1,734.34
50897	Code 4 Services, Inc.	Upfit Patrol Unit	4,672.18
50898	Cole Papers, Inc.	Supplies	48.68
50899	Dakota Business Solutions	Maintenance Postal Machine	450.00
50900	Dakota Dust Tex, Inc.	Service	186.99
50901	Eide Bailly LLP	Data Drive	619.00
50902	Emmons County Record	Publishing	645.78
50903	Emmons County Treasurer	Postage	101.82
50904	Emmons County Treasurer	Postal Machine Use	456.30
50905	Fireside Office Products, Inc.	Supplies	1,065.58
50906	Force America Distributing, LLC	Hose Guard	43.74
50907	Hazelton Insurance Agency	NDIRF Insurance Policy	74,917.00
50908	Jack's Electric & Trenching	Service	100.15
50909	Jerome Distributing, Inc.	Water Refills	60.00
50910	Keller's Hardware	Supplies	258.70
50911	Linde Gas & Equipment, Inc.	Supplies	809.46
50912	Linton Auto Parts	Supplies	5,513.53

50913	Martin Oil	Gas	1,014.84
50914	MDU	Utilities	2,588.61
50915	ND One Call	Location Request	1.50
50916	ND Sheriff's & Deputies Association	Dues	400.00
50917	ND State Radio Communications	Everbridge Fee	640.64
50918	ND State Radio Communications	LETS Billings	263.00
50919	ND State Radio Communications	Line Fee	15,907.95
50920	NDACO	D & A Testing	529.20
50921	NDACO Resource Group	Special Operations/IT Services	2,912.00
50922	NDACTVSO	Dues/Spring Conference	170.00
50923	NDLTAP	Training Class	25.00
50924	NDSU	Adobe Cloud & Pro	403.76
50925	NDSU	Salary Reimbursements	14,657.83
50926	Nodak True Value	Supplies	433.85
50927	Payment Remittance Center	Gas/Fuel/Supplies	431.31
50928	Payment Remittance Center	Gas/Fuel/Supplies	2,697.19
50929	Payment Remittance Center	Gas/Fuel/Supplies	1,564.96
50930	Payment Remittance Center	Gas/Fuel/Supplies	3,779.30
50931	Payment Remittance Center	Gas/Fuel/Supplies	188.33
50932	Pomps Tire Center	Tires	1,536.00
50933	Power Plan Corp.	Parts/Supplies/Labor	4,082.66
50934	Quadient Leasing USA, Inc.	Postage Machine Rent	353.19
50935	Renschler, Norman	Maintenance Rice Lake	380.00
50936	Saylor Implement, Inc.	Parts/Service	1,419.27
50937	Schneider, Jackie	Food Pantry	500.00
50938	Sign Pro	Road Signs	55.50
50939	South Central Regional Water	Water Bill	90.00
50940	Spiffy Biffs	Service	164.50
50941	Stuckle, Acacia	Expense Reimbursement	105.85
50942	TC Specialties	Service	114.00
50943	Tyler Technologies, Inc.	Tax and Accounting Software	7,159.88
50944	Unicom	Sheriff Vehicle Graphics	1,084.95
50945	US Records Midwest, LLC	Recorder Books	587.59
50946	Verizon Wireless	Cell Service	297.80
50947	Visto's Trailer Sales	Trailer	20,159.97
50948	Volk, Duane	Strasburg Shop	704.50
50949	Wald Heating & Air, LLC	Service	4,210.00
50950	Widmer Roel	2024 Audit	5,000.00
50953	Information Technology	Internet Access & Netmotion	162.40
50954	KEM Electric	Utilities	472.13
50955	MDU	Utilities	197.26
50956	BEK Communications	Telephone Service	3,014.75
50959	Verizon Connect	Tracking Devices	260.10
DD	Hazleton City	Water Bill	57.00
DD	Linton City	Water Bill	99.89
DD	Strasburg City	Water Bill	95.90
Nonck	BNC National Bank	Safe Deposit Box Rent	15.00

There being no further business before the board, Commissioner Magrum motioned to adjourn the meeting. Seconded by Commissioner Gartner. The meeting adjourned at 12:00 P.M.

Approved: March 3, 2026

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 6, 2026**

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. Also present was States Attorney, Joseph M. Hanson.

The Pledge of Allegiance was recited.

County Auditor, Marlys Ohlhauser, opened nominations for the 2026 Chairman. Commissioner Vander Vorst nominated Commissioner Materi. Commissioner Gartner nominated Commissioner Miller. The Commission voted by paper ballot and Commissioner Materi, receiving the highest number of votes, was declared Chairman for 2026.

Chairman Materi opened nominations for the 2026 Vice Chairman. Commissioner Gartner nominated Commissioner Miller. Commissioner Miller nominated Commissioner Gartner. The Commission voted by paper ballot and Commissioner Miller, receiving the highest number of votes, was declared Vice Chairman for 2026.

Commissioner Vander Vorst motioned to approve the minutes of the December 2, 2025 regular meeting and the December 17, 2025 special meeting. Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

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

Commissioner Magrum noted that the City of Hazelton is doing a pavement project and the county should consider paving the township road by Missouri Valley Ag while the paving company is in town, or just reduce that road back to gravel.

Old and Unfinished Business:

Commissioner Magrum motioned to approve the request from the Emmons County Weed Board for increasing the board members pay by \$50.00 per meeting. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Brief discussion was held regarding the merger for the Linton City Municipal Airport and how the board is structured. The Board is waiting for a meeting to be planned.

Commissioner Vander Vorst motioned to sell the 2013 Ford Explorer "out on bids". Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Discussion was held on amending the county's haul road agreement to include a daily rate fee.

Budget clarity was given that the new salary structure plan that was adopted is still keeping the county in line with the 3% cap requirement.

New Business:

Commissioner Magrum motioned to re-appoint the following officers for a one-year term effective January 1, 2026:

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

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

Commissioner Magrum motioned to re-appoint Joey Kalberer, Tim Weber and John Deboer to the Emmons County Water Resource Board for a three-year term effective January 1, 2026. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to re-appoint Gary Griffin to the Emmons County Public Health Board for a five-year term effective August 1, 2026. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to re-appoint Andy Hulm to the Emmons County Housing Authority Board for a five-year term effective January 1, 2026. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to appoint James Vander Vorst to the South Country Human Service Board for a three-year term effective January 1, 2026. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to re-appoint Corbley Ogren to the Emmons County Committee Board for a three-year term effective January 1, 2026. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

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:

City of Linton – The West Fifty Feet (W 50') of Lot Twelve (12), Block Six (6), Seeman's First Addition to Linton, Emmons County, North Dakota.

City of Hazelton – Lot Twelve (12), Block Three (3), Roop's First Addition to Hazelton, Emmons County, North Dakota.

City of Hazelton – East Ten Foot (10") strip of the South One-Half (S ½) of Lot Eleven (11) and All of Lot Twelve (12), Block Eight (8), Original Town of Hazelton, Emmons County, North Dakota.

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

VA Officer, Brad Huber, appeared and gave his quarterly report. Presented was an image of a rotating wall mount for the Veterans pictures in the courthouse auditorium.

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

Russell Lawler, Road Superintendent, provided a monthly update on activities for the county road department. The Strasburg County Shop project is coming along. The department is performing general equipment maintenance on the blades and trucks and installing a quick coupler on the excavator. They are also going to be working on a few rip rap projects.

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

Director of Tax Equalization, Christina Seppanen, presented the 2026 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	\$868.78
Non-cropland	\$149.37
All agricultural land	\$644.22

Emmons County's average value per acre for the year 2026 is as follows:

Cropland	\$883.33
Non-cropland	\$151.69
All agricultural land	\$643.71

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. Christina Seppanen recommended a 97% tolerance level as previous increases are moving the county closer to the state average. After discussion, Commissioner Magrum motion to maintain a 96% tolerance level, decreasing the average value per acre by .62%. Seconded by Commissioner Gartner. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Clark Roth appeared and stated that he's circulating a petition to annex property out of the City of Braddock into the county which included a couple of homes on Lots 2-4, Block 3, Betzers Addition Braddock and Lots 7-8, Block 3, Betzers V. Add Lots 5-6, Block 4 & All Blocks 5-7 Betzer's vacated addition, Braddock, Section 27, Township 136, Range 75, and asked the Commissioners if they would consider signing the petition. After discussion the Commission concluded that they would not sign the petition.

Commissioner Magrum motioned to amend the 2025 appropriations in the county road and bridge fund by \$4,273.52, Flex funding by \$307,425.77, State Revenue by \$40,441.02, County Vehicle by \$3,512.72 and the auditorium fund by \$49,640.20. Seconded by Commissioner Vander Vorst. Motion carried.

Commissioner Gartner motioned to approve the application for abatement or refund of taxes for parcel #52-0014-00804-000 for tax year 2025. 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 Jack McCrory to construct a grain bin on tract of land in the N 2/3 of the NW ¼, East of Highway and West of RR Less Tract, Section 20, Township 132, Range 76 contingent upon approval by Josh Odden that the setbacks are following 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 application for abatement or refund of taxes for parcel #52-0008-00582-000 for tax year 2025. Seconded by Commissioner Magrum. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

Commissioner Magrum motioned to recess the meeting until 5:30 P.M. Seconded by Commissioner Miller. Roll Call "YES": Gartner, Magrum, Materi, Miller and Vander Vorst. Motion carried.

As advertised, at 5:30 P.M., a public hearing was held to receive public comment and direction on proposed Resolution 25-12-01 to adopt amended conditional use permit process and form, and to dissolve industrial conditional use permit.

Chairman Materi opened the public hearing asking for public comment.

Mandy Olson commented that her only issue with the resolution is that any entrepreneurship or small business type that's going to need a conditional use permit would need the \$500,000 surety bond that's now required, and the 3% total cost of the project application fee may not be affordable.

David Moch recommended that the resolution include surveying, that all projects are required to be surveyed according to state law. Commissioner Miller suggested that surveying be done prior to applying for a permit.

Kevin Bernhardt questioned if the \$750.00 application fee applies to building permits and approaches, where the Commission made clear that this fee would only apply to projects needing a conditional use permit.

Holly Will suggested that the fee structure should read non-refundable.

Following the public hearing, Commissioner Magrum motioned to approve the amended Resolution 25-12-01 and the amended application for the Conditional Use Permit with the amendment that the county requires 10% cost of construction bond requirement in place of the \$500,000, and the amendments that all fees made to the county are non-refundable under the fee structure. 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 – \$108,529.61
Highway Tax - \$65,456.32

The following vouchers were reviewed and approved for payment:

50726	MDU	Utilities	141.19
50760	Acme Tools, Inc.	Tools	324.79
50761	Advanced Business Methods	Extension Copier Contract	367.37
50762	Appert Land Enterprise	Tools and Supplies	3,130.00
50763	Baker Township	Road Maintenance	203.93
50764	Balco Uniform, Inc.	Uniforms and Accessories	145.01
50765	Beastrom Oil Co.	Propane	5,611.49
50766	Braaten Law Firm	Legal Services	320.00
50767	Burleigh Morton Detention Center	Prisoner Billing	4,300.00
50768	Butler Machinery Co.	Parts/Labor	4,706.29
50769	Central Dakota Frontier Coop	Batteries/Gas	332.49
50770	CHS, Inc.	Propane	828.30
50771	Circle H. Lumber	Material	1,750.69
50772	Cole Papers, Inc.	Supplies	205.33
50773	Custom Truck Accessories	Tool Box/Wheel Harness	1,212.85
50774	Dakota Dust Tex, Inc.	Service	223.20
50775	Dakota Dynamics	HR Contract	400.00
50776	Dockter's Blacksmith	Service	289.11
50777	Emmons County Record	Publishing and Envelopes	1,039.92
50778	Emmons County Treasurer	Supplies	49.09
50779	Emmons County Treasurer	Specials on Strasburg County Shop	756.12
50780	Fed Ex	Service	39.89
50781	Fireside Office Products	Supplies	93.05
50782	Harry Petrie Library	Contribution	2,500.00
50783	Jack's Electric & Trenching	Service	201.18
50784	Jerome Distributing, Inc.	Water Refills	99.50
50785	Jochim Construction	Labor	8,627.77
50786	Johnson, Steven & Francine	Easement	1,000.00
50787	Keller's Hardware	Supplies	984.83
50788	Lewis & Clark Regional Dev.	Dues	5,359.79
50789	Lexipol, LLC	Manuals	5,744.56
50790	Linton Auto Parts	Parts	677.64
50791	Magrum Excavating & Plumbing	Service	375.00

50792	Martin Oil Co.	Gas	3,848.83
50793	Matthew Bender & Co., Inc.	ND Century Code Updates	174.61
50794	MDU	Utilities	2,435.23
50795	Mosset Welding, LLC	Metal	45.36
50796	Mudge, Travis	Easement	760.00
50797	NACO	Dues	450.00
50798	ND911 Association	Dues	100.00
50799	ND County Auditor's & Treasurer's	Dues	400.00
50800	ND County Commissioners Assoc.	Dues	1,775.00
50801	NDACO Resources Group	IT Support	2,456.00
50802	New Vision Security, LLC	Fire Alarm Monitor	330.00
50803	Nodak True Value	Parts/Supplies	771.99
50804	NW Tire, Inc.	Tire Repair	600.00
50805	Pahlke Steel	Wing Pins	161.61
50806	Payment Remittance Center	Gas/Fuel/Supplies	312.74
50807	Payment Remittance Center	Gas/Fuel/Supplies	2,585.82
50808	Payment Remittance Center	Gas/Fuel/Supplies	122.52
50809	Payment Remittance Center	Gas/Fuel/Supplies	4,638.08
50810	Payment Remittance Center	Gas/Fuel/Supplies	1,883.14
50811	Payment Remittance Center	Gas/Fuel/Supplies	948.05
50812	Pomp's Tire Service, Inc.	Tires	2,958.54
50813	Power Plan Corp	Parts/Labor	6,061.95
50814	Prairie Heating & Air, Inc.	Service	467.00
50815	Proforms	Supplies	192.00
50816	Remboldt, Brothers, LLP	Easement	3,130.00
50817	Renschler, Norman	Maintenance to Rice Lake	380.00
50818	Rigging & Tools, Inc.	Tools	1,994.34
50819	Sayler Implement, Inc.	Parts	1,974.29
50820	Schlosser, Marilyn	Easement	760.00
50821	Schneider, Jackie	Food Pantry	500.00
50822	Silvernagel, James and Janel	Easement	1,000.00
50823	South Central Regional Water	Water Bill	79.20
50824	Spiffy Biff's/Bruce's Manufactured	Rentals	157.00
50825	Stryker Sales, LLC	Electrode	348.00
50826	Taylor Print Impressions	Election Envelopes	3,088.02
50827	TC Specialties, Inc.	Service	57.00
50828	TKE Corporation	Elevator Contract	2,187.92
50829	Tower Communications	Tower Rent	600.00
50830	Tri-County Exhibitors	Contribution	2,000.00
50831	Tyler Business Forms	1099 Forms/Envelopes	71.79
50832	Tyler Technologies, Inc.	Software Support	2,640.00
50833	Unicom	Removal of Graphics	450.00
50834	Vanguard Appraisals, Inc.	Program Service	2,640.00
50835	Verizon Wireless	Cell Service	174.78
50836	Verizon Wireless	Cell Service	297.80
50837	Widmer Roel	Auditing	450.00
50838	Emmons County Treasurer	Postal Machine Use	2,760.74
50839	Information Technology	Internet Access & Netmotion	1,593.80
50840	KEM Electric	Utilities	276.98
50844	Herreid Concrete	Concrete	1,457.00
50854	BEK Communications	Telephone Service	3,041.42
DD	Hazleton City	Water Bill	57.00
DD	Linton City	Water Bill	168.11
DD	Linton Fire Dept.	Contribution	2,500.00
DD	Strasburg Fire District	Contribution	1,000.00
DD	Strasburg City	Water Bill	91.84
DD	Mary Senger	Expense Reimbursement	22.19

There being no further business before the board, Commissioner Magrum motioned to adjourn the meeting. Seconded by Commissioner Miller. The meeting adjourned at 7:00 P.M.

Approved: February 3, 2026

Daniel Materi, Chairman
Board of County Commissioners

Marlys Ohlhauser
Emmons County Auditor