

The Traill County Commissioners came to order on Wednesday, November 4, 2020 at 8:00 a.m. with all members present. On motion of Elliott, seconded by Young and carried to approve the minutes of 10-20-20.

NDDOT FEDERAL AID PROGRAM: Corwyn Martin, Road Superintendent & Matt Lange, K LJ met in person with Paul Benning, Ken Leben and Brian Fuchs representing the ND DOT met via conference call to discuss the 2021 Federal Aid Program for Traill County. Projects funds will remain about the same as 2020, at 4.5 million dollars and are projected for work to be completed on BR #49-114-16.0 (north of Hillsboro) and BR #49-129-05.0 (north of Buxton which is split with MN). NDDOT reminded Traill County that any “critical findings” on bridges must be dealt with within 30 days of receiving the notice. The NDDOT will follow up on the issues with County Road 16 during road construction.

HIGHWAY ISSUES: Martin gave updates on several issues concerning his department. A meeting will be called with Commissioner Nesvig, Commissioner Elliott, Matt Lange, Corwyn Martin and Rich Sanders, Polk County to discuss shared bridges. A budget meeting will be set up between Commissioners Eblen & Elliott, Corwyn Martin and Glenda Haugen in late November. Martin explained we have delays due to unmarked waterlines and manufacturing delays for the BR #366, water crossing being installed by Burski Excavating with a projected completed date of November 14, 2020. Letter received from Ron Hefta with concerns about the amount of water going thru the culvert. Commissioner Amb met with Hefta. Martin informed the commission that the ditch cleaning east of town has been completed. On motion of Young, seconded by Amb and carried to approve a field approach for Elliott Brothers along CR #1 in the SE1/4 of Section 20 in Galesburg Township. On motion of Amb, seconded by Elliott and carried to approve a ditch cleaning permit filed by Rocky Nettum along CR #81 in the west half of Section 30 in Ervin Township. On motion of Young, seconded by Elliott and carried to approve a ditch cleaning permit filed by John Dufner along CR #13 in Section 23. On motion of Amb, seconded by Young and carried to approve two ditch cleaning permits filed by Randy Garrett 1st: along CR #8 in section 16 of Bohnsack Township and the 2nd along CR #3 in Bohnsack Township.

MASK MANDATE: Discussion was held on implementing a mask mandate in Traill County. Brenda Stallman, Director of Traill County Health District stressed the importance of wearing masks to help slow the spread. Traill County has had 5 COVID deaths so far and the positive cases keep rising. Commissioners Young and Amb were against the mandate stating that this could lead to addition issues and business in Traill County pay taxes and would like to run their own businesses. Commissioner Nesvig introduced the following Mask Mandate Resolution, which motion was seconded by Commissioner Elliott:

STATE OF NORTH DAKOTA

COUNTY OF TRAILL

REGULATIONS MANDATING FACE COVERINGS IN TRAILL COUNTY

WHEREAS, on March 13, 2020, The President of the United States of America, Donald J. Trump declared a national emergency for SARS-CoV-2, a novel coronavirus (COVID-19). This action came two days after the World Health Organization characterized COVID-19 as a pandemic; and

WHEREAS, on March 13, 2020, The Governor of the State of North Dakota, Douglas J. Burgum, declared a State of Emergency in North Dakota in response to the public health crisis resulting from the novel coronavirus, ordering the activation of the North Dakota State Emergency Operations Plan to assist local and tribal officials, prevent injuries and save lives, alleviate hardships, implement response and recovery actions and future mitigation measures, and facilitate restoration of services and infrastructure; and

WHEREAS, on March 17, 2020, the Board of the Traill County declared that a state of health emergency existed in Traill County, its cities and public and private areas and activated its Emergency Operations Plan to monitor the situation, alleviate hardship and to initiate appropriate relief actions and mitigation efforts; and

WHEREAS, the current scientific information from the Centers for Disease Control and Prevention says “the principal mode by which people are infected with COVID-19 is through exposure to respiratory droplets carrying infectious virus. The current epidemiology of COVID-19 indicates that most infections are spread through close contact (within six feet), not airborne transmission; and

WHEREAS, existing interventions to prevent the spread of COVID-19 appear sufficient to address transmission both through close contact and under the special circumstances favorable to potential airborne transmission. These interventions include social distancing, hand hygiene, surface cleaning and disinfection, ventilation and avoidance of crowded indoor spaces and use of masks in the community; and

WHEREAS, COVID-19 affects most seriously those with weakened immune systems and those who are the most vulnerable, including the homeless, those in long-term care settings, among other scenarios; and

WHEREAS, Traill County is currently experiencing an increase in the rate of new Covid-19 cases; and

WHEREAS, currently there is no vaccine or cure for COVID-19; and

WHEREAS, some studies have found that face coverings significantly reduce the number of Covid-19 infections; and

WHEREAS, North Dakota Governor Doug Burgum has established the North Dakota Smart Restart Plan, including universal protocols. The Governor has reminded and encouraged through all available media platforms that North Dakota citizens wear face coverings, especially when social distancing cannot be achieved;

NOW, THEREFORE, IT IS HEREBY ORDERED, as a result of the aforementioned conditions, and through all powers vested in/to Traill County under the North Dakota Century Code, that it is the policy of Traill County that all persons within Traill County wear face coverings in compliance with the following regulations:

I. Definitions

- a. "Face Covering" means a covering that fully covers a person's nose and mouth. The term "Face Covering" includes, but is not limited to, cloth face masks, surgical masks, towels, scarves and bandanas.
 - i. A "Face Covering" is not considered a Medical-Grade Mask or a Valve Mask
 - a. A "Medical-Grade Mask" means an N95 or other mask that would be appropriate for a health care setting.
 - b. A Valve Mask is a mask or other face-covering that incorporates a one-way valve.
- b. "Home" has its natural meaning, as a person's residence, to include the dwelling structure and all property legally associated with the dwelling structure.
- c. "Patron" means a customer or other person who visits a Place of Public Accommodation who is not a staff member of the Place of Public Accommodation.
- d. "Physical Distancing" means keeping six feet of distance between persons who are not in the same household.
- e. "Places of Public Accommodation" means facilities, buildings, establishments, accommodations, services, commodities, or uses offered to or for use by the general public in Traill County, including public places where food or beverages are offered for sale, public places operated for temporary lodging, use or accommodation of those seeking health or recreation and all establishments offering goods or facilities, communal outdoor spaces such as sidewalks, trails, parks and outdoor patio areas of commercial establishments, and entities soliciting patronage from the general public.
- f. "Public Transportation" means shared-ride surface transportation services that are open to the general public, including without limitation, taxi services, ride-sharing services, car services and transit services provided by any political subdivision or regional public transportation authority, including buses and light rail service.

II. Use of Face Coverings

- a. Effective as of the date this Mandate is signed, all persons in Traill County who do not qualify for an exemption in Section III of these regulations must wear a Face Covering under the following circumstances:
 - i. All riders and operators on any Public Transportation are required to wear Face Coverings (excluding any operator in a separate compartment that is off-limits to riders);
 - ii. All patrons age six and over are required to wear Face Coverings while inside the enclosed area of any Place of Public Accommodation;
 - iii. Adult patrons accompanying children aged two through five shall use reasonable efforts to cause those children to wear Face Coverings while inside the enclosed area of any Place of Public Accommodation; and
 - iv. All Places of Public Accommodation shall require staff members to wear, and those staff members shall wear, Face Coverings while working in areas open to the general public and areas in which interactions with other staff members are likely.
- b. Wearing a Medical-Grade Mask satisfies any requirement in section II.a to wear a Face Covering. But all persons in Traill County are urged to reserve Medical-Grade Masks for use by health care workers and first responders.
- c. Wearing a Valve Mask does not satisfy the regulations set forth in section II.

III. Categorical Exemptions

- a. These regulations do not apply to persons in Homes.
- b. The following persons/circumstances are exempted from this Mandate:
 - i. Persons who fall into the United States CDC's guidance for those who should not wear Face Coverings due to medical or mental health conditions, or developmental disability;
 - ii. Children under the age of two years old;
 - iii. Restaurant patrons while eating or drinking;
 - iv. Persons congregating or exercising in communal outdoor spaces, or persons walking or exercising with other persons from the same household in communal outdoor spaces, as long as Physical Distancing is maintained. For persons congregating in communal outdoor spaces with other persons not in their same household, Face Coverings are required when Physical Distancing is not or cannot be maintained;
 - v. In settings where it is not practical or feasible to wear a Face Covering, such as obtaining or rendering goods or services such as dental services, medical treatments or while engaging in exercise or swimming;
 - vi. Persons in a personal vehicle, personal office, or similarly private space where other persons outside of the person's household are not present;
 - vii. Public safety employees and/or emergency responders and/or field employees engaged in essential functions, when wearing a Face Covering would interfere or severely limit their ability to carry out their essential duties or functions; and
 - viii. Persons complying with the directions of public safety employees and/or emergency responders.

IV. Territorial Applicability

- a. These regulations apply throughout Traill County.
- b. These regulations set minimum standards for Face Coverings. Nothing in these regulations prohibits or impedes any city, town, other public entity or private entity from enacting and enforcing more restrictive regulations regarding the use of Face Coverings.

V. Enforcement

- a. A person who declines to wear a Face Covering because of a medical condition shall not be required to produce documentation verifying the condition.

- b. Enforcement of these regulations shall focus on educating the public on the dangers of community spread and promoting best public health practices to achieve the goal of these regulations: mitigating the spread of COVID-19.
- c. Any person violating these regulations shall be notified of the provision of these regulations and be given an opportunity to comply.

Upon roll call vote, those present and voting aye: Commissioners Eblen, Elliott and Nesvig, voting nay: Commissioners Amb and Young. Resolution passed.

AFLAC: Mickie Depaolis, District Manager asked Commissioners to reconsider their motion on 10-20-20 discontinuing offering AFLAC thru a payroll deduction. The policies can continue thru direct billing to the employees; however, they will lose the tax benefits thru the flex program. On motion of Amb, seconded by Young and carried to delay the removal of payroll deductions for the insurance companies. A meeting will be called with the employees involved.

FEMA GRANT/DES: Ben Gates, Traill County Assistant DES Administrator the following presented documents for approval and signatures: (1) On motion of Young, seconded by Amb and carried to allow the Commissioner Eblen to sign the SAM Entity Administrator Letter authorizing Gates as Traill County's Entity Administrator (2) On motion of Amb, seconded by Elliott and carried to allow Commissioner Eblen to sign a Traill County Local Match letter supporting the County's 25% match and (3) On motion of Amb, seconded by Young and carried to allow Commissioner Eblen to sign the Traill County's MHMP Participation Letter designating Commissioner Nesvig to participate in meetings starting in 2022.

ROGER ANDERSON: Roger Anderson submitted a 2nd letter to address a few issues discussed at the meeting on 10-20-20. Anderson mentioned he did not want to meet with just a few Water Board members but would rather have Ken Nesvig discuss the problems with the commission. Anderson also corrected his remarks concerning the Smelden driveway issues. Mr. Anderson's letter will be on file in the Auditor's office.

CARES ACT: Notice received of a second round of Coronavirus Relief Fund coming. Traill County submitted \$188,090.63 on 10-28.20.

AVHSZ: Received September financials and October meeting minutes of the Agassiz Valley Human Service Zone. No action needed.

ELECTION GRANT: Traill County received the \$5,000.00 for election expenses.

DOME GRANT: Traill County received \$50,000.00 from the ND State Historical Society for Phase I of the dome restoration project.

UPCOMING EVENTS: Joint Commission meeting with Traill & Steele County Commissioners to review and approve the 2021 Agassiz Valley Human Service Zone Plans. Meeting will be held on 11-10-20 at 1:30 PM in the Steele County Courtroom.

AUDITOR'S WARRANTS:

On motion duly made and carried, the following bills paid by the County Auditor to November 1, 2020 were allowed paid to-wit:

| | | | | | |
|--------|------------------------|----------|-------------|-------------------|-----------|
| 100574 | Discovery Benefit Fees | 66.00 | 100581 | NDPERS Retirement | 44876.06 |
| 100579 | TC Treasurer FOASI | 66786.96 | 81883-81968 | October Payroll | 209634.96 |

REGULAR BILLS:

On motion duly made and carried, the following bills presented to the Board were ordered paid, to-wit:

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| 100585 | 3D Specialties Inc | 399.36 | 100636 | Halstad Telephone Co | 101.27 |
|--------|--------------------|--------|--------|----------------------|--------|

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|--------|-----------------------------|----------|--------|----------------------------|----------|
| 100586 | Marilyn Aanderud | 50.00 | 100637 | Kim Jacobson | 100.00 |
| 100587 | Advaned Drainage Systems | 2899.20 | 100638 | John Deere Credit | 13.46 |
| 100588 | Ada Electric Inc | 507.00 | 100639 | Tina Johnson | 50.00 |
| 100589 | Thomas Anderson | 316.00 | 100640 | Allison Klassen | 50.00 |
| 100590 | Appriver LLC | 43.20 | 100641 | KLJ Engineering | 77438.62 |
| 100591 | Kelly Archambeau | 100.00 | 100642 | Jackie Kraling | 326.79 |
| 100592 | Bloomfield Enterprises | 125.00 | 100643 | Kristin Lee | 100.00 |
| 100593 | ND BCBS | 6234.30 | 100644 | Loffler Companies Inc | 11.18 |
| 100594 | Bob Barker Company | 135.58 | 100645 | Sara Mack | 100.00 |
| 100595 | Business Essentials | 762.57 | 100646 | MPCG School | 93.25 |
| 100596 | DS Solutions | 210.00 | 100647 | Millers Fresh Foods | 23.76 |
| 100597 | Brooke Duval | 26.47 | 100648 | Tammi Mooney | 50.00 |
| 100598 | East Central Regional Water | 221.10 | 100649 | Kathi Mooney | 50.00 |
| 100599 | Pat Osland | 253.30 | 100650 | Mayport Hardware Hank | 84.41 |
| 100600 | Susie Anderson | 300.70 | 100651 | Farnams Genuine Parts | 1471.89 |
| 100601 | Sylvia Dufner | 358.62 | 100652 | ND Association of Counties | 500.00 |
| 100602 | Rick Holman | 15.00 | 100653 | NDSU | 4531.23 |
| 100603 | Judy Erdmann | 307.50 | 100654 | Northern Safety Technology | 68.60 |
| 100604 | Marilyn Aarsvold | 306.58 | 100655 | OK Tire Store | 1780.20 |
| 100605 | Pam Johnson | 334.26 | 100656 | Olsen Hardware | 67.77 |
| 100606 | Elenore Grinde | 323.90 | 100657 | Ottertail Power Company | 67.54 |
| 100607 | Joanne Zaharia | 323.82 | 100658 | Kristi Parrish | 50.00 |
| 100608 | Audrey Knudson | 301.05 | 100659 | Paulson Gravel Service | 3060.00 |
| 100609 | Julie Foss | 367.50 | 100660 | Precision Mech Services | 1341.16 |
| 100610 | Deborah Haugen | 311.14 | 100661 | Polar Communications | 126.18 |
| 100611 | Carolyn Clancy | 289.45 | 100662 | Chicago Power Plan | 9914.78 |
| 100612 | Betty Meyer | 187.50 | 100663 | John Preston | 590.00 |
| 100613 | Rebecca Gunderson | 266.25 | 100664 | Pioneer Rim and Wheel | 148.19 |
| 100614 | Steve Gunderson | 303.37 | 100665 | Barcodes Inc LLC | 315.88 |
| 100615 | Tracy McGillis | 248.20 | 100666 | Remark Tech Consulting | 9250.20 |
| 100616 | Doris Bakken | 289.45 | 100667 | Sandbo Plumbing | 209.45 |
| 100617 | Marlene Johnson | 45.70 | 100668 | Tammy Sand | 455.94 |
| 100618 | Glenn Brustad | 300.70 | 100669 | Seatol | 2000.00 |
| 100619 | Lynn Foss | 292.50 | 100670 | Stacy Smelden | 49.90 |
| 100620 | Eldorado Township | 1000.00 | 100671 | Sorum Oil Company | 216.38 |
| 100621 | Ervin Township | 1269.90 | 100672 | Soltis Sportswear | 207.95 |
| 100622 | Fargo Forks Freightliner | 275.25 | 100673 | Steele County | 1300.00 |
| 100623 | City of Finley | 369.74 | 100674 | Swingen Construction | 12000.00 |
| 100624 | Flaten and Johnson Truck | 12.76 | 100675 | The Lock Shop | 350.50 |
| 100625 | Finley Motors Inc | 28720.39 | 100676 | TNT Outfitters | 169.99 |
| 100626 | Fleet Pride Truck | 258.13 | 100677 | US Postmaster | 55.00 |
| 100627 | Ivy Fyre | 100.00 | 100678 | US Records Midwest LLC | 167.80 |
| 100628 | Great America Leasing | 117.00 | 100679 | Verizon Wireless | 862.22 |
| 100629 | Global Safety Network | 471.00 | 100680 | Verizon Wireless | 72.28 |
| 100630 | Debra Hankel | 22.35 | 100681 | Wells Fargo Bank Rent | 985.00 |
| 100631 | Hillsboro Banner | 806.77 | 100682 | Justin Wika | 4350.00 |
| 100632 | Hatton Free Press | 20.00 | 100683 | Wallwork Truck Center | 530.53 |

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| 100633 | Hillsboro Kiwanis Food | 50.00 | 100684 | Xcel Energy | 170.75 |
| 100634 | Hillsboro Municipal Utility | 2412.80 | 100685 | JPMorgan Chase Bank | 13156.17 |
| 100635 | Heather Hovey | 69.60 | 100686 | NDPERS Insurance | 61298.08 |

There being no further business to be brought before the board, the meeting was adjourned to meet in special session on 11-10-20 at 1:30 PM in Steele County, and in regular session on 11-17-20 at 8:00 AM.

Attest:

Glenda Haugen

Thomas Eblen