

CITY OF TIOGA

City Commission Special Meeting Minutes
June 25, 2020

A special meeting of the City Commission of the City of Tioga was called to order at 6:00 pm on June 25, 2020, at the Tioga City Hall, by President of the City Commission Drake McClelland.

PRESENT: Drake McClelland, Natalie Bugbee, Tim Sundhagen. Heather Weflen, Larry Maize, Elizabeth Pendlay and Abby Salinas, Tim Christianson (late)

ABSENT: None

Guest: Omar Truino, William Fischer, Salli Fosburgh, Monica Sundhagen, Elyse Pendlay, Cecile Wehrman, Brad Nygaard, Jim Prather, Donna Prather, Dennis Lindahl, Chris Norgaard, Dan Larson

New Business:

1. Williams County Canvassing Results – Salinas Handed Exhibit of Williams County Final Canvassing results
2. Salinas administers Oath of Office for Commissioner President Seat to Drake McClelland: In and for the State of North Dakota In the County of Williams I, Drake McClelland of Tioga, North Dakota, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of North Dakota, and that I will faithfully discharge the duties of the office of Tioga Commission President 2020-2024 According to the best of my ability, so help me God (under pains and penalties of perjury). McClelland administers Oath of Office for Commissioner Seat to Larry Maize: In and for the State of North Dakota In the County of Williams I, Larry Maize of Tioga, North Dakota, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of North Dakota, and that I will faithfully discharge the duties of the office of Tioga Commissioner 2020-2020 according to the best of my ability, so help me God (under pains and penalties of perjury). McClelland administers Oath of Office for Commissioner Seat to Tim Sundhagen: In and for the State of North Dakota In the County of Williams I, Tim Sundhagen of Tioga, North Dakota, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of North Dakota, and that I will faithfully discharge the duties of the office of Tioga Commissioner 2020-2024 according to the best of my ability, so help me God (under pains and penalties of perjury). McClelland administers Oath of Office for Commissioner Seat to Monica Sundhagen: In and for the State of North Dakota In the County of Williams I, Monica Sundhagen of Tioga, North Dakota, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of North Dakota, and that I will faithfully discharge the duties of the office of Tioga Municipal Judge 2020-2024 according to the best of my ability, so help me God (under pains and penalties of perjury). McClelland administers Oath of Office for Park Board Seat to William Fischer: In and for the State of North Dakota In the County of Williams I, William Fischer of Tioga, North Dakota, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of North Dakota, and that I will faithfully discharge the duties of the office of Park Board Member 2020-2024 according to the best of my ability, so help me God (under pains and penalties of perjury). McClelland administers Oath of Office for Park Board Seat to Salli Fosburgh: In and for the State of North Dakota In the County of Williams I, Salli Fosburgh of Tioga, North Dakota, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of North Dakota, and that I will faithfully discharge the duties of the office of Park Board Member 2020-2024 according to the best of my ability, so help me God (under

pains and penalties of perjury). McClelland states Kelci Hanson was also elected for the 3rd open seat at the Park Board but due to prior engagement her Oath of Office was administered at City Hall that morning for a Park Board seat from 2020-2024.

3. Portfolio of Commission Seats – Water Commissioner

Sundhagen made a motion to approve Tim Christianson as the Water Commissioner for the Tioga Commission, second by Bugbee. Call: Ayes; Bugbee, Sundhagen, Maize

Finance Commissioner

Sundhagen made a motion to approve Natalie Bugbee as the Finance Commissioner for the Tioga Commission, second by Maize. Call: Ayes; Bugbee, Sundhagen, Maize

Police Commissioner

Maize made a motion to approve Tim Sundhagen as the Police Commissioner for the Tioga Commission, second by Bugbee. Call: Ayes; Bugbee, Sundhagen, Maize

Street Commissioner

Bugbee made a motion to approve Larry Maize as the Street Commissioner for the Tioga Commission, second by Sundhagen. Call: Ayes; Bugbee, Sundhagen, Maize

4. Election of Vice President - McClelland Recommends Bugbee as Vice President of the Commission, discussions held.

Bugbee made a motion to approve Sundhagen as Vice President of the Commission, second by Maize. Call: Ayes; Bugbee, Sundhagen, Maize

5. Appointments to Office – Tioga City Auditor

Bugbee made a motion to approve Abby Salinas as Tioga City Auditor, second by Sundhagen. Call: Ayes; Bugbee, Sundhagen, Maize

Tioga Police Chief

Sundhagen made a motion to approve Corey Murphy as Tioga Chief of Police, second by Bugbee. Call: Ayes; Bugbee, Sundhagen, Maize

Tioga City Attorney

Bugbee made a motion to approve Elizabeth Pendlay as Tioga City Attorney, second by Sundhagen. Call: Ayes; Bugbee, Sundhagen, Maize

Pendlay advised Commission Board that there were also 2 ballot measures that were approved by the Citizens of Tioga. Ballot Measure 1 was to extend and approve the City of Tioga's existing infrastructure Tax beyond its present expiration date which would otherwise occur on December 31, 2020. Measure 2 was to approve the Tioga Commission Minutes to be published. Pendlay stated that due to questions she received on where to publish the minutes she completed some research, because although Tribune has been the long-standing place where minutes are published, the Tribune like the Williston Herald are both not published here locally. Pendlay reviewed NDCC 40-01-09 which does not state anything definitive; however, an old Attorney General's opinion 58-234 from 1958 was reviewed and it discusses an issue with a county paper looking at determining the meaning of the word "published." The opinion determines that the "place of publication is the place where the newspaper is first distributed to the public." Pendlay also wanted to clarify that in recent paper articles there has been some misrepresentation or ambiguous wording, and she would like to make some clarifications although Pendlay knows that an editorial is only an opinion from the editor and is not an article written by a journalist. Pendlay states the City of Tioga does not censor any opinions but that the article appears to have some co-mingling of facts and gave an inclination that there was a procedural issue that is also not true. Pendlay stated the City has not issued a deficiency letter and has not engaged in any Planning and Zoning misconduct, she also stated that the City does not use secrecy or ignorance to take advantage of the public and although that statement was an opinion of the editor there is still an assertion. Pendlay repeated Sundhagen's statement as to why a consent agenda is done at the City Commission, she stated that the City Commissioners value the opinion, vetting, consideration, exploration and commitment of countless hours some by other appointed boards so unless there is an issue with a particular item on the consent agenda that needs to be discussed by City

Commissioners the consent agenda portion will be approved and the Tioga Tribune will be attending those meetings to ensure they report on anything needed. Sundhagen stated that discussions were held with some business owners and they feel as if the negative publicity is hurting potential incoming business because it makes it seem as if we have huge controversy in town. Sundhagen also stated that the City Commissioners are doing their job by ensuring economic growth. Dennis Lindahl stated that a conversation should be had on if Tioga is business friendly and pointed out that the journal states that they are the arbitrator of holding Tioga accountable but who is holding the Journal accountable for all their inaccurate reporting. Cecile Wehrman states that anyone can always write an article correcting the inaccuracies and she will publish it, she also stated that most of the articles written are good articles, discussions held.

Sundhagen made a motion to have Pendlay write a resolution to have tribune continue to publish the City minutes, second by Christianson. Call: Ayes; Christianson, Bugbee, Sundhagen, Maize

With no further business the meeting of the Tioga City Commission was adjourned by unanimous vote moved by Sundhagen and second by Christianson, at 7:37 pm.

The next meeting of the City of Tioga is scheduled for Monday July 6, 2020 at 7:00 p.m., to be held at the Tioga City Hall.

Drake McClelland, President of the City Commission

ATTEST:

Abby Salinas, City Auditor