

RICHLAND COUNTY BOARD OF COMMISSIONERS
JULY 1, 2025

The Richland County Board of Commissioners met at 8:00 A.M. on July 1, 2025 at the Richland County Courthouse with Commissioners Terry Goerger, Nathan Berseth, Rollie Ehlert, and Perry Miller. Commissioner Campbell was absent. Others included Administrative Personnel Fossum, State's Attorney Kummer, Jesse Sedler, Sarah Erickson, and Steve Dale.

Commissioner Goerger called the meeting to order. A motion was made by Miller and seconded by Berseth to approve the agenda. Vote was unanimous.

A motion was made by Ehlert and seconded by Miller to approve the minutes of meetings June 3, June 17, and County Equalization June 3. Vote was unanimous.

TREASURERS REPORT

A motion was made by Berseth and seconded by Ehlert to approve the Treasurer's Report. Vote was unanimous.

MISC/CORRESPONDENCE

- Correspondence regarding 5 County Meeting in Edgley July 10th
- County deed requiring signature

HIGHWAY DEPARTMENT

Sedler gave an update on Highway activities:

- bid openings for propane, one bid was received

A motion was made by Ehlert and seconded by Miller to accept the propane bid from Farmers Union of the Southern Valley. Vote was unanimous.

- Drain tile – 4 miles left north half of CR 1, will start CR 3 when complete
- Gravel crushing – should be complete by the end of the week
- CR 1, 3, 16, 22, & 81 – milling should start next week, paving to start July 20th

RESOLUTION RELATING TO BOND PROGRAM

Riverview Dairy representatives Jason Grubbs, Rick Metzger and Connor Reese joined the meeting via TEAMS. The intent resolution relating to a project under the municipal industrial development act was discussed. A motion was made by Berseth and seconded

RESOLUTION No. R-68

INTENT RESOLUTION RELATING TO A PROJECT UNDER THE MUNICIPAL INDUSTRIAL DEVELOPMENT ACT

WHEREAS, the Board of County Commissioners of Richland County, North Dakota (the "County") is empowered pursuant to the Municipal Industrial Development Act of 1955, Chapter 40-57, North Dakota Century Code (the "Act") to issue revenue bonds of the County to finance projects defined in the Act; and

WHEREAS, the County has received a request from the Borrower identified on Exhibit A hereto (the "Borrower") requesting that the County assist in the financing of the project set out on Exhibit A hereto (the "Project") by issuing its revenue bonds (the "Bonds") in an aggregate principal amount not to exceed the amount shown on Exhibit A hereto, and such Project is authorized under the Act; and

WHEREAS, the Internal Revenue Service has issued Section 1.150-2 of the Income Tax Regulations (the "Regulations") dealing with the issuance of bonds, all or a portion of the proceeds of which are to be used to reimburse project expenditures incurred prior to the date of issuance; the Regulations generally require that a prior declaration of official intent be made by the County as issuer if the Borrower intends to reimburse itself for such prior expenditures out of the proceeds of a subsequently issued borrowing, that the borrowing occur and the reimbursement allocation be made from the proceeds of such borrowing within eighteen months of the payment of the expenditure or, if longer, within eighteen months of the date the Project is placed in service, and that the expenditure be a capital expenditure or payment of costs of issuance; and the County as issuer and the Borrower desire to comply with requirements of the Regulations with respect to the Project;

NOW, THEREFORE, Be It Resolved by the Board of County Commissioners of Richland County, North Dakota, as follows:

Section 1. Subject to the holding of a public hearing according to law, subject to the mutual agreement of the County, the Borrower, and The Frazer Lanier Company Incorporated (the "Underwriter"), as the purchaser of the Bonds, as to the details of the Bonds and financing documents, and subject to necessary governmental approvals, the County declares its intent to issue the Bonds in an amount not to exceed the principal amount stated in Exhibit A. This preliminary commitment by the County shall not in any manner or form create an indebtedness or liability of the County. The passage of this Resolution does not finally commit the County to issue and deliver the Bonds, and final approval by this Board shall be required prior to the sale and issuance of the Bonds prescribing the terms and conditions required by the Act.

Section 2. Based solely upon representations of the Borrower, the County declares (a) that the Borrower proposes to undertake the Project, (b) that, except for (i) expenditures aggregating no more than the lesser of \$100,000 or 5% of the proceeds of the Bonds, (ii) preliminary expenditures (as described in the Regulations) in an amount not to exceed 20% of the issue price of the Bonds, and (iii) other expenditures made not earlier than 60 days before the date hereof, no

expenditures for the Project have been made by the Borrower for which the Borrower will seek reimbursement from the proceeds of the Bonds, and (c) the Borrower reasonably expects to reimburse the expenditures made for costs of the Project out of proceeds of the Bonds. This Resolution is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

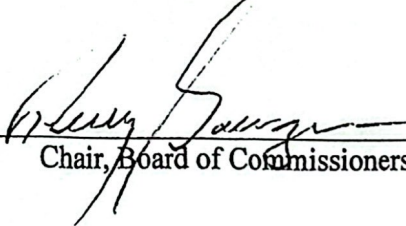
Section 3. The Chairperson, County Auditor/Administrator, County administrative personnel, and/or legal counsel to the County are each individually authorized and directed to take such further actions as may be necessary to carry out the intent and the purpose of this Resolution, including without limitation causing the notice of public hearing to be published in accordance with law at a date and time acceptable to the County Administrator, assisting the Borrower and the Underwriter with the necessary governmental approvals, and reviewing the terms and conditions of the sale and issuance of the Bonds and the financing documents.

Section 4. The Bonds, when issued, shall be a limited obligations of the County payable solely out of the revenues derived from the debt obligation, collateral, or other security furnished by or on behalf of the Borrower. No holder of any of the Bonds shall ever have the right to compel any exercise of taxing power of the County to pay the Bonds, or the interest thereon, nor to enforce payment against any property of the County except the Project and the security provided by the Borrower to secure repayment of the Bonds. The Bonds shall not constitute a debt of the County within the meaning of any constitutional or statutory limitation as provided in the Act.

Section 5. The Bonds, this Resolution, any other resolution and other documents required to effectuate the purposes of this Resolution are authorized to be executed with manual, facsimile or electronic signatures of the parties, including any seal or attestation requirements.

Section 6. All resolutions, parts of resolutions, and prior actions of the County in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved on July 1, 2025.

By 
Vice Chair, Board of Commissioners

ATTEST:


County Auditor/Administrator

EXHIBIT A

1. Borrower Name: Riverview ND, LLP, its successors or assigns
26406 470th Ave.
Morris, MN 56267

2. Principal Amount: \$30,000,000

3. Description of the Project: The acquisition and construction expenditures associated with the collection, containment, further processing, and disposal of waste animal manure generated by the dairy operation. Capital costs include site preparation, concrete collection areas, lagoons, settling ponds, and dedicated manure disposal equipment. The location of the Project is 7071 177th Street, SE, Wahpeton, North Dakota 58075