

The Barnes County Commission met in regular session Tuesday, December 1, 2009, with all members present.

Auditor Edward McGough called for nominations for chairperson. Commissioner Froelich nominated Opdahl. Commissioner Opdahl declined the nomination. Commissioner Weber nominated Schwehr.

Commissioner Berntson made a motion, seconded by Froelich, to cease nominations and cast a unanimous ballot for Schwehr for chairperson. Upon a roll call vote with all voting "yes," motion carried.

Chairwoman Schwehr called for nominations for vice-chairperson. Commissioner Froelich nominated Berntson.

Commissioner Froelich made a motion, seconded by Opdahl, to cease nominations and cast a unanimous ballot for Berntson for vice-chair. Upon a roll call vote with all voting "yes," motion carried.

Commissioner Berntson thanked the Commission and Barnes County employees for all their help during his chairmanship, especially during the flood event.

Commissioner Froelich made a motion, seconded by Opdahl, to approve the following Commission Portfolio schedule. Upon a roll call vote with all voting "yes," motion carried.

Department & Boards

Auditor
Data Processing
City/County Health
Clerk of Court
County Agent / Extension
County Highway Dept. & Co. Engineer
County Park
Custodian (Building & Grounds)
EMA
VSO / 911
Recorder
Sheriff / Corrections / Joint Law Enforcement
Social Services
States Attorney / Judicial
Treasurer
Tax Director
Weed Control
Compensation Committee
Personnel Policy Review
Airport Authority
City Planning / Zoning
County Planning / Zoning
County Housing Authority
Economic Development / Chamber
Museum
National Guard Military Affairs Committee
Public Library
Senior Citizens
Sheyenne James Resource Conservation
South Central Dakota Regional Council
Water Resources / Devils Lake & Lower
Winter Show

Portfolio Holder

Rodger Berntson
Harlan Opdahl
Cindy Schwehr
Rodger Berntson
John Froelich
Cindy Schwehr / Rodger Berntson
Rhiny Weber / Harlan Opdahl
Rodger Berntson
Harlan Opdahl
Rhiny Weber
Cindy Schwehr
Rhiny Weber/ John Froelich
Berntson / Schwehr / Opdahl
Rodger Berntson
Harlan Opdahl
John Froelich
John Froelich / Rhiny Weber
John Froelich / Harlan Opdahl
Harlan Opdahl
Cindy Schwehr
John Froelich
John Froelich / Rodger Berntson
John Froelich
Cindy Schwehr
Rhiny Weber
Cindy Schwehr
Rhiny Weber
Rhiny Weber
Harlan Opdahl
Harlan Opdahl
Harlan Opdahl
John Froelich

Kerry Johnson, Highway Superintendent, and Mark Anderson, KLJ, updated the Commission on current projects.

Johnson discussed an option to improve the safety at a dangerous intersection in Norma Township, which included removing a curve and installing a four-way stop.

Johnson and Kim Franklin, EMA, discussed FEMA-reimbursed money for flood expenses. Johnson stated Highway and Weed Control expenses need to be paid or reimbursed from the emergency fund, then FEMA reimbursement would be paid back to that fund later.

It was the consensus of the Commission that the Auditor may pay them for flood expenses from the emergency fund.

Brad Cruff, States Attorney, met with the Commission to discuss an energy grant application, requesting that KLJ be hired to measure the thermal value of the Courthouse windows.

Commissioner Berntson made a motion, seconded by Froelich, to allow Mr. Cruff to hire KLJ to complete the needed calculations to comply with the energy grant application, at a cost of \$1,000.00. Upon a roll call vote with all voting "yes," motion carried.

Commissioner Berntson made a motion, seconded by Opdahl, to adopt Resolution 7: Request for Devils Lake Studies, as presented.

Commissioner Froelich then made a motion to amend the motion to include a provision stating that, if Tolna Coulee is lowered, that water from the west end of Devils Lake be prohibited from being pumped into the Sheyenne River. Motion failed for lack of second.

Chairwoman Schwehr made a motion, seconded by Froelich, to approve the resolution with an amendment to include the following: that an independent, out-of-state firm be contracted by the North Dakota State Water Commission to perform the study. Upon a roll call vote with all voting "yes," motion carried.

Commissioner Weber made a motion, seconded by Opdahl, to approve Resolution 7 – Request for Independent Devils Lake Study, as presented in its final version. Upon a roll call with all voting "yes," motion carried.

Resolution 7 – Request for Independent Devils Lake Study

WHEREAS the discharge of water from Devils Lake into the Sheyenne River poses a potential harm to downstream interests within the Sheyenne River Basin.

THEREFORE, the Barnes County Board of County Commissioners hereby requests that the North Dakota State Water Commission contract with an impartial out of state entity with expertise in hydrological evaluation to promptly conduct a comprehensive hydrological analysis of the Devils Lake Basin and the Sheyenne River Basin, including but not limited to; studies of permanent and temporary water retention to keep water from entering Devils Lake and/or the Sheyenne River; armoring the Tolna Coulee in anticipation of natural overflow; a water release control device installation for the Tolna Coulee; an action plan for various increased levels of Devils Lake over and above the current level; cost benefit analysis of each proposed plan of action; and potential environmental impacts of each action plan or the anticipated result for failing to act.

WE RESPECTFULLY REQUEST that a comprehensive study of the Devils Lake flooding as it affects the Sheyenne River be undertaken promptly. This study should be conducted by an impartial out of state organization with expertise in hydrological evaluation, cost benefit analysis and environmental impacts. Results from this study should be used as a basis for future management that will result in effective flood control for Devils Lake while minimizing impact to downstream communities.

Dated this 1st day of December, 2009

Is/Cindy Schwehr, Chairwoman; Edward McGough, Auditor

Commissioner Froelich made a motion, seconded by Weber, to sign the revised agreement with the NDDOT as to the Wimbledon Midland Continental Depot. Upon a roll call vote with all voting "yes," motion carried

Commissioner Froelich made a motion, seconded by Opdahl, to approve the November 17 minutes as presented. Motion carried.

Commissioner Berntson made a motion, seconded by Weber, to pay \$600.00 to the Barnes County Wildlife Federation for upkeep of Faust Dam Park. Upon a roll call vote with all voting "yes," motion carried.

Commissioner Froelich made a motion, seconded by Weber, to enter into a Historical Works Appropriations Agreement with the Barnes County Historical Society. Upon a roll call vote with all voting "yes," motion carried.

Commissioner Berntson made a motion, seconded by Weber, to enter into the Highway Work and Indemnity Agreement with the City of Sibley, for overlay of its main asphalt road. Upon a roll call vote with all voting "yes," motion carried.

Gene Bjerke, Sheriff, met with the Commission to discuss bidding for one truck and one car.

The Commission met with the Department Heads for informal discussion.

The following bills were approved for the month of November: **General Fund:** Ace Hardware \$39.32, Bakkegard & Schell \$351.95, BC Hwy Dept \$1,742.95, Berntson, Rodger \$234.30, Bitz Tire & Service \$382.68, Burnette Bomstad Est \$77.29, Business & Legal Reports \$342.86, Cardmember Service \$1,143.59, Cass Co Electric \$49.79, Central Business Systems \$78.00, Curt's Lock & Key \$91.00, Dakota Industrial Supply \$489.40, Dakota Plains \$10.18, Dolphin Capital \$197.33, Farm & Home \$277.00, Franklin, Kimberly \$220.00, Froelich, John \$237.60, G&K Services \$132.23, Galls \$110.98, Goven, Thomas \$202.50, Greenberg Roofing \$18,620.00, Handy Hardware \$4.58, Headsetters \$40.02, High Plains Water Treatment \$12.00, ITD \$300.00, Inst of Local Govt \$160.00, Johnson Controls \$336.87, Kari's Cleaning \$63.70, Kelly Inn \$689.90, Krassin Law Office \$535.82, Leever's \$14.38, Litchville Bulletin \$182.82, McGough, Edward \$566.83, Meritcare \$100.00, MDU \$1,052.56, Myhre Law Office \$677.10, National District Attorneys Assn \$170.00, ND Assn of Counties \$1,020.00, ND Sheriffs & Deputies Assn \$30.00, ND Supreme Court \$25.00, Opdahl, Harlan \$364.10, Overn Electric \$317.02, Pearson Electric Motor \$92.80, Perkins \$679.49, Postmaster \$44.00, Qwest \$1,760.71, Record Keepers \$42.00, Reserve Acct \$6,000.00, Schwehr, Cindy \$256.85, Servicemaster \$1,200.00, Sheyenne Printers \$571.00, State Board of Law Examiners \$1,130.00, Stein's \$131.79, Stoudt-Ross Ford \$427.54, Streicher's \$307.91, TDS Metrocom \$308.52, The Window Man \$45.00, Valley Auto Parts \$7.19, Public Works \$1,270.49, Times-Record \$990.00, Valley Extinguisher \$28.85, Valley Officeworks \$722.23, Valley Service \$27.85, Verizon \$324.77, Weber, Rheinhold \$24.20; **City County Health:** Cardmember Service \$424.10, Central Ave Pharmacy \$103.78, Central Business Systems \$347.68, Central Medical \$439.93, Central Valley Health District \$4,693.52, Comfort Inn \$59.00, Dakota Central \$49.95, Dakota Industrial Supply \$24.00, Dakota Plains \$189.50, Dash Medical Gloves \$295.20, Dex Media East \$14.50, Handy Hardware \$58.75, Ingenix \$117.79, Ingstad Media \$300.00, Kiwanis \$85.00, Langland, Tamara \$79.75, Leever's \$10.12, Medtox Laboratories \$10.30, Mercy Hospital \$499.50, Meritcare Healthcare \$625.41, Moore Medical \$552.27, Pamida \$16.29, Qwest \$178.16, Rosenau, Vicki \$537.67, Sanofi Pasteur \$222.84, Sansio \$600.00, Sheyenne Printers \$311.83, Skalicky, Jonathan \$40.00, Skalicky, Kasey \$119.43, TDS Metrocom \$49.19, Thompson, Laurel \$55.15, Thomsen, Paula \$52.30, Thrifty White \$495.00, Times-Record \$437.00, Valley Drug \$28.52, Valley Officeworks \$90.27, Viland, Beth \$279.84, Wick Investments \$300.00, Will, Theresa \$307.30, Yellow Book \$934.80; **Veterans Service Office:** Barnes Co Highway Dept \$115.28, Bitz Tire & Service \$15.00, Country Inn & Suites \$126.00, Veterans Advocates of ND \$50.00, TDS Metrocom \$21.13, Verwey, James \$62.50; **Social Services:** Alltel \$218.37, Bayley Neurauter, Lisa \$206.20, Brothers III \$243.05, Central Business Systems \$417.23, Compson, Becky \$79.20, Guertin, Robert \$50.60, Harmon, Linda \$134.75, Huss, Candice \$17.05, ITD \$12.00, Meritcare \$45.00, Metzger, Catherine \$64.13, Miller Motors \$29.75, MDU \$675.77, ND Dept of Human Services \$8,234.86, ND Eligibility Workers Assn \$5.00, Oye, Sheila \$496.10, Pamida \$174.51, Pautz, Heather \$163.53, Pershing \$296.46, Pommerer, Katharine \$34.10, Qwest \$8.23, TDS Metrocom \$214.30, Public Works \$693.54, Times-Record \$93.00, Valley Officeworks \$135.10, Verizon \$60.25, Xcel Energy \$456.63; **County Road & Bridge:** Ace Hardware \$69.99, Al's Metal Work \$79.96, Berts Truck Equipment \$29.54, Ramkota \$300.00, Bitz Tire & Service \$24.34, Butler \$7,003.91, Carquest \$1,018.68, Custom Tarps & Filters \$441.73, Dakota Plains \$12,665.06, Dallmann \$21,509.32, Dickey Rural Telephone \$67.83, Handy Hardware \$44.83, Institute of Local Govt \$150.00, Inter-Community Telephone \$69.81, Johnson, Kerry \$45.00, Kari's Cleaning

\$269.40, Laker Chemical \$411.50, Liberty Business Systems \$10.00, Little Falls Machine. \$49.80, Meritcare \$75.00, ND Assn of Counties \$205.00, Newman Signs \$744.11, Ottertail \$600.00, Pamida \$55.56, Pearson Electric Motor \$15.00, Praxair \$886.77, Sheyenne Printers \$10.68, TDS Metrocom \$30.83, The Window Man \$175.00, Valley Auto Parts \$1,588.65, Public Works \$924.23, Valley Radiator & Repair \$284.00, Verizon \$112.87, Vining Oil \$4,359.28, Wallwork Truck Center \$2,395.32, Western Sand & Gravel \$615.00, Yanish, Gary \$35.00; **County Park:** Cass County Electric \$298.20, Dakota Plains \$442.55, Dickey Rural Telephone \$56.24, Floyd Preston \$300.00, Handy Hardware \$9.53, Hi-Line Electric \$151.20, Leever's \$3.25, Miller Motors \$871.45, Smith Farm & Home \$9.45, Tangen, Steve \$20,000.00; **Weed Control:** Bitz Tire & Service \$826.78, Dakota Plains \$328.00, Kari's Cleaning \$63.70, S&S Auto Electric \$5.38, Public Works \$30.45; **Emergency:** Hemen Twp \$2,368.80, Meadow Lake \$2,291.25, Pierce \$5,037.93; **Oasis & Social Security:** Cardmember Service \$1,152.21, CDW Government \$322.32, CPU \$1,771.36, Grotberg Electric \$11.10, ITD \$513.20, Reliance Telephone \$600.00, TDS Metrocom \$7.44, Thiel, Jason \$21.35; **County Agent:** Bjelland, Ellen \$323.52, Grueneich, Randy \$488.02, Holiday Inn \$351.90, NDSU \$152.00, ND State Horticultural Soc \$20.00, TDS \$48.14; **Emergency HCPRA:** Roby's \$98.73; **Farm to Market 15 Mill:** NDDOT \$138,461.53, ND Sewage Pump Lift Station Service \$275.00; **Disaster:** Cardmember Service \$2,092.48; **Correctional Center:** Barnes Co Ambulance \$200.00, Cable Services \$34.65, Cass Clay Creamery \$410.00, Food Services of America \$886.64, Galls \$102.57, Grotberg Electric \$45.00, High Plains Water Treatment \$18.75, Inventory Trading Co \$65.25, Leever's \$146.81, Marketplace \$212.94, Mercy Hospital \$1,769.65, Meritcare \$135.00, Midwest Pest Control \$70.00, MDU \$18.84, Pamida \$203.48, RJs Plumbing & Heating \$4,190.58, Sheyenne Printers \$108.00, TDS Metrocom \$24.68, Thrifty White \$1,855.84, Public Works \$644.51, Valley Officeworks \$8.99; **2009 Bridge Sinking:** Cook Wegner & Wike \$162.03; **County Agent Revolving:** County Market \$58.57, Domino's \$102.29, Entzminger, Michelle \$30.00, Johnson, Dayna \$15.00, Kruger, Elizabeth \$70.00, Leever's \$9.48, Pamida \$16.94, Reister, Kim \$148.50, Roth, Amy \$70.00, Subway \$108.00, Taco John's \$48.00, TDS Metrocom \$9.73, Tichy, Amy \$887.93; **Corrections Commissary:** Pamida \$66.19, Pizza Corner \$177.00, Reliance Telephone \$500.00, Wholesale Supply \$350.73; **Soil Conservation:** Barnes Co Soil Conserv Dist. \$1,472.96; **Garrison Conservancy Dist:** Garrison Diversion Cons Dist \$1,654.30; **Airport:** BC Municipal Airport \$1,114.07; **911 Emergency Fund:** Dakota Central \$29.00, Dickey Rural Telephone \$291.00, Inter-Community Telephone \$150.00, Qwest \$952.78; **State Funds:** ND State Treasurer \$15,022.77; **Winter Show:** ND Winter Show \$2,170.46; **Older Persons:** South Central Adult Services \$1,757.36; **Ambulance:** BC Ambulance \$869.46; **Water Resources:** Hurley, Patrick \$273.55, Kari's Cleaning \$63.70, McMillan, Jeffrey \$328.55, Moore Engineering \$18,596.98, Wade Smith Creative Construction \$105.00; **Historical Society:** Barnes Co Historical Society \$642.64; **Library:** VC Public Library \$927.92; **Cities:** Fingal \$135.88, Kathryn \$175.09, Litchville \$202.06, Nome \$416.72, Oriska \$88.57, Rogers \$14.11, Sanborn \$1,916.25, Sibley \$714.00, Valley City \$49,389.49, Wimbledon \$527.71; **Townships:** Alta \$1,797.92, Anderson \$1,266.34, Ashtabula \$1,433.25, Baldwin \$812.48, Binghampton \$1,566.66, Brimer \$1,347.45, Cuba \$1,512.82, Dazey \$1,082.59, Eckelson \$998.20, Edna \$1,284.35, Ellsbury \$1,182.16, Getchell \$1,408.68, Grand \$1,353.16, Green \$1,884.33, Greenland \$1,468.26, Hemen \$1,303.56, Hobart \$1,360.75, Laketown \$1,070.86, Mansfield \$1,494.75, Marsh \$2,109.58, Meadow \$1,146.04, Minnie \$1,248.20, Nelson \$1,305.62, Noltimier \$1,576.85, Norma \$1,532.95, Oakhill \$1,365.75, Oriska \$1,200.85, Pierce \$1,506.21, Potter \$947.04, Raritan \$1,727.90, Rogers \$1,214.41, Rosebud \$1,460.05, Sibley \$860.08, Skandia \$1,322.13, Spring \$1,283.07, Springvale \$1,524.48, Stewart \$1,304.53, Svea \$1,859.25, Thordenskjold \$1,174.27, Uxbridge \$1,854.61, Valley \$4,233.96, Weimer \$1,060.71; **Park Districts:** Fingal \$7.06, Kathryn \$12.23, Litchville \$23.72, Nome \$6.65, Sanborn \$18.48, Valley City \$17,797.60; **School Districts:** Barnes County North \$22,041.26, Enderlin \$4,661.99, Hope \$504.78, Litchville-Marion \$11,750.70, Maple Valley \$9,042.68, Montpelier \$3,433.31, Page \$30.30, Valley City \$131,470.24; **Rural Fire Districts:** Dazey \$272.31, Edna \$84.57, Enderlin \$21.18, Fingal \$191.28, Hope \$166.12, Kathryn \$103.31, Nome \$230.13, Page \$49.12, Sanborn \$1,097.06, Tower City \$90.29, Wimbledon \$463.85; **Interest Fund:** Barnes Co Treasurer \$10,162.77.

There being no further business to come before the Board, Commissioner Berntson made a motion, seconded by Weber, to adjourn. Motion carried.

Edward R. McGough
Barnes County Auditor

Rodger Berntson, Chairman
Barnes County Commission