

Barnes County Commission  
Tuesday, April 20, 2010  
Valley City, North Dakota

The Barnes County Commission met in regular session Tuesday, April 20, 2010, with all members present.

Kerry Johnson, Highway Superintendent, updated the Commission on current and ongoing highway projects.

Marlow Stavens, Gary Buck and Joel Iverson of the Barnes County Snowmobile Club met with the Commission to discuss the possibility of placing a 10x12 or an 8x10 storage building on County property as a location on public land. They also discussed liability.

Commissioner Opdahl made a motion, seconded by Froelich, that the County will work with the Barnes County Snowmobile Club to designate a piece of County property appropriate for a storage building to house snowmobile path signage, contingent on State's Attorney approval. Upon a roll call vote with all voting "yes," motion carried.

Jennifer Feist of the VC-BC Development Corporation, and Mary Beth Orn, treasurer of the Wimbledon Midland Continental Depot Project committee, were present to request another \$3100.00 in grant funding to complete the project, due to a change in project requirements.

Commissioner Froelich made a motion, seconded by Opdahl, to approve the request from the Development Corporation, for funding in the amount of \$3100.00 from the Barnes County economic development mill levy, to help complete the Wimbledon Midland Continental Depot Project by funding additional engineering services as required by the Department of Transportation. Upon a roll call vote with all voting "yes," motion carried.

Commissioner Weber made a motion, seconded by Froelich, to approve the minutes of April 6 as presented. Motion carried.

The Commission considered time limits for personal property retrieval from properties taken by the County in tax delinquencies. It was the consensus of the Commission that, at the time the County takes deed to delinquent properties, a notice will be sent to the previous owner(s) giving them until October 31 to remove any personal property, and limited to that which is not attached to the structure.

Brad Cruff, State's Attorney, and Deb Kantrud, Director of South Central Dakota Regional Council, met with the Commission concerning restrictions to deeds on flood buyout properties. Mr. Cruff pointed out to the Commission that the federally proposed restrictions are perpetual in nature, but North Dakota law only allows restrictions on real property for a maximum of 99 years. It was the consensus of all persons present that the length of the restrictions as proposed by FEMA is non-negotiable as it is also a requirement in other federal programs within the State.

Commissioner Opdahl made a motion, seconded by Froelich to adopt the wording as presented in the document Exhibit A: County ND Hazard Mitigation Grant Program Deed Restrictions. Upon a roll call vote with all voting "yes," motion carried.

Mr. Cruff presented architectural quotes from Foss Architecture & Interiors of Fargo, who has partnered with Valley City architect Dan Smith on this project, for Courthouse window replacement for (1) third floor only, in the amount of \$21,000 plus expenses of approximately \$1,300, and (2) the entire Courthouse, in the amount of \$24,500, plus expenses of approximately \$1,500. It was noted by Mr. Cruff that if bids come in under the current estimates, that approximately 70% of the base bid of \$21,000 for the third floor windows, which is approximately \$15,600 of the architectural expenses will be covered by the grant approved by the North Dakota Supreme Court through the Court Facility Improvement Grant.

Commissioner Froelich made a motion, seconded by Berntson, to approve and hire Foss Architecture & Interiors to prepare design and bid specifications for the Courthouse window replacement project. Upon a roll call vote with all voting "yes," motion carried.

Cruff also discussed employee background checks and associated costs.

Commissioner Weber made a motion, seconded by Froelich to approve a line item for employee background checks in the general fund providing a budget of \$600. Upon a roll call vote with all voting "yes," motion carried.

Commissioner Berntson discussed Courthouse grounds concrete repair needs and stated the buildings and grounds staff have contacted someone to deal with the problems.

Berntson also discussed the possibility and process of instituting a fire ban if the need arises.

The Commission expressed heartfelt sympathies to the family and friends of Darrell Harstad, and sincere appreciation for his dedication and years of service to Barnes County.

Eldred Knutson, Planning and Zoning Board Chair, and Greg Hager, Zoning Coordinator, met with the Commission to discuss the funding needed to complete the mapping project.

Chairperson Schwehr recessed the Commission meeting to allow the Park Board to meet.

Park Board Chairman Dale Maasjo called the meeting to order. Attending were Kerry Johnson, Tim Tangen, Bev Anderson, and the Commission.

Discussion was held concerning the sewer system for the new showers/restroom building at Clausen Springs Park, and problems encountered with drain field installation.

Mr. Opdahl made a motion, seconded by Tangen, to have employee Bob Anderson work 40 hours per week until Paul Fisher returns to work. Upon a roll call vote with all voting "yes," motion carried.

Mr. Froelich made a motion, seconded by Weber, to allow \$9.00 per hour for the second part-time position at the park. Upon a roll call vote with all voting "yes," motion carried.

Ms. Anderson discussed broken oak branches that present a liability if they should fall on someone, but are too high for the County to remove.

Mr. Johnson informed the Board that FEMA has approved road repair from the entrance of the park to the dam.

There being no further business to come before the Park Board, Mr. Opdahl made a motion, seconded by Tangen, to adjourn. Motion carried.

Chairperson Schwehr re-convened the Commission meeting.

The Board further discussed the KLJ contract regarding the mapping project, and the request for funding in the amount of \$10,107.00 for project completion. The consensus of the Board was that Mr. Knutson should contact Skip Skattum of KLJ to present a status report on the project to the Commission.

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

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Edward R. McGough  
Barnes County Auditor

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Cindy Schwehr, Chairperson  
Barnes County Commission