

The Barnes County Commission met in regular session Tuesday, May 17, 2011 with all members present.

Kerry Johnson, Highway Superintendent, discussed Ten Mile Lake on County Road 4, where the water is rising and spreading out, flowing north and south. Laketown Township officers Jim Quick and Jim Broten, and Laketown property owner Larry Gruman were present to discuss the situation. An obstruction is blocking the south flow, and the landowner doesn't want it removed. Discussion was held regarding Water Board responsibility and speaking with the landowner, which Jim Broten agreed to do.

Commissioner Froelich made a motion, seconded by Knutson, to allow Mr. Johnson to place two 36" culverts on County Rd. 4. Upon a roll call vote with all voting "yes," motion carried.

Johnson presented an approach application for Kevin Harstad, 12-141-60. Commissioner Berntson made a motion, seconded by Leitner, to approve the approach application as requested. Upon a roll call vote with all voting "yes," motion carried.

Mark Anderson of KLJ presented a federal aid contract for signature on a grade raise east of Highway 1 East, for Project CER-0222(069).

Commissioner Berntson made a motion, seconded by Knutson, to sign the contract for Project CER-0222(069) as presented. Upon a roll call vote with all voting "yes," motion carried.

Bids were discussed for ER grade raises on county roads 7 and 32 (Meadow Lake). Commissioner Leitner made a motion, seconded by Froelich, to accept the low quote at Site 6 on County Road 7 from Six D construction. No action was taken on Site 7 on County Road 32. It was the consensus of the Commission to look into the cost of moving the road before awarding the bid to raise it.

Johnson requested cell phone reimbursement for Dennis Moritz, Highway Department employee, for extra use during the flood, and also for a stipend for him for future County use of his phone.

Commissioner Berntson made a motion, seconded by Knutson, to reimburse Mr. Moritz \$100 for personal cell phone use during the flood. Upon a roll call vote with all voting "yes," motion carried. Johnson is to bring the matter back to the board for a decision on whether to provide Mr. Moritz with a work phone or pay him a monthly stipend for the use of his phone.

Commissioner Knutson stated there are still sandbags placed on County right of way by a resident. Johnson stated he will contact the resident concerning removal.

Discussion was also held regarding a hill sliding on County Road 21 S., and a plugged culvert at Fox Lake.

Mark Anderson of KLJ updated on the North Valley bridge project. There was discussion whether or not to use eminent domain on a parcel if the owners did not wish to sell. Chairwoman Schwehr stated she would rather negotiate to purchase property first.

Johnson stated someone had expressed interest in the conveyors and the old screening plant. It was the consensus of the Commission that the equipment could be sold, along with any other unused items at the Highway Department.

Paul Stenshoel, resident, discussed the Green Hills wind project and expressed his concerns that if ground were not broken by August 1, the PSC would oversee the project. Lee Grossman, State's Attorney, said he is investigating the matter.

Wes Anderson, Museum Director, requested to use the Courthouse lawn area for the summer Music in the Park series, as they did last summer. He stated the events went well last summer. Discussion was held regarding the Courthouse window project which will be ongoing during the summer, but it was agreed it would not be an issue.

Commissioner Leitner made a motion, seconded by Froelich, to allow the music events to be held on the Courthouse lawn this summer as requested. Upon a roll call vote with all voting "yes," motion carried.

Kim Franklin, Emergency Manager, reported that there are 938 pallets of filled sandbags left after two Saturdays of giving them away. Of these, the Corps of Engineers has expressed interest in 3,000, and the County will store 50,000. Chairperson Schwehr reported on available storage for the bags, which are currently in the Winter Show buildings.

Betty Koslofsky, Tax/Zoning Director, presented variances approved by the Planning and Zoning Board and townships as follows:

- Bruce Schmidt – 35' tree setback, Grand Prairie Township. Commissioner Knutson made a motion, seconded by Froelich, to approve the variance as requested. Upon a roll call vote with all voting "yes," motion carried.
- Louis Nicoli – 70' building setback, Cuba Township. Commissioner Leitner made a motion, seconded by Froelich, to approve the variance as requested. Upon a roll call vote with all voting "yes," motion carried.
- Todd Velure – 100' tree setback and 165' building setback. Due to a township line involved, both Skandia and Nelson townships approved. Commissioner Froelich made a motion, seconded by Berntson, to approve the variance as requested. Upon a roll call vote with all voting "yes," motion carried.

Ms. Koslofsky reported that preparation for the June 7 equalization meeting will be completed 10 days before the meeting.

A request by the Valley Quilters for use of the Courthouse for a quilt show August 6 was considered. Commissioner Berntson made a motion, seconded by Knutson, to approve the use as requested. Upon a roll call vote with all voting "yes," motion carried.

Commissioner Leitner made a motion, seconded by Berntson, to approve the minutes of May 3 as presented. Motion carried.

Commissioner Leitner made a motion, seconded by Knutson, to support a grant for the City-County Health District, in developing a Community Health Assessment and Community Health Improvement Plan. Upon a roll call vote with all voting "yes," motion carried.

A delegation of residents met with the Commission to discuss an access road at the Katie Olson's Landing subdivision. Present were residents Steve Ross, Pat Folk, Wendy Gullickson, Brian Kriewald, Robert Fennen, Craig & Pam Lacher; Mike Schwehr, Ashtabula Township officer, Rich Schueneman, Corps of Engineers.

Discussion was held regarding the poor condition of the road, and who is responsible for its maintenance. Lee Grossman, State's Attorney, stated that the road is not a County road. Mr. Schwehr stated that the township does not typically maintain the subdivision roads. Mr. Schueneman stated the Corps would offer a no-cost easement to allow the work to be done. Discussion was held regarding using the township as a pass-through for the Highway Department to be able to blade the road to make it usable, then billing the township. Mr. Schwehr agreed to discuss this with the other township officers.

Commissioner Froelich made a motion, seconded by Leitner, to enter into the no-cost easement with the Corps of Engineers through October 1. Upon a roll call vote with all voting "yes," motion carried.

Mike Opat of Moore Engineering, West Fargo, presented the Sheyenne River Watershed Flood Water Detention Study, sponsored by the following water districts: Sheyenne River Joint, Red River Joint, and the ND State Water Commission. The study outlined the dry dam plan for flood control along the Sheyenne River. Discussion was held regarding funding sources, and cost/benefit of the proposed project.

Randy McClafin, Sheriff, and Jon Cameron, Valley City Administrator, presented a mutual aid agreement between Barnes County and Valley City, with the stipulation that Valley City be able to

utilize the Barnes County Sheriff's Office's mobile command center during emergencies when the center is not being utilized by the Sheriff's Office.

Commissioner Leitner made a motion, seconded by Berntson, to approve the mutual aid agreement between Barnes County and Valley City, with the stipulation that Valley City be able to utilize the Barnes County Sheriff's Office's mobile command center during emergencies when the center is not being utilized by the Sheriff's Office. Upon a roll call vote with all members present voting "yes," with Schwehr absent for the vote, motion carried.

Discussion was held concerning salaries for two sheriff's deputies who were recently promoted to sergeants. Commissioner Knutson made a motion to make retroactive a salary increase to all employees who were promoted during the year to receive the correct grade increase. Motion failed for lack of a second.

Commissioner Froelich made a motion, seconded by Leitner, to provide the salary increase to employees who were promoted one or more grades, to receive the correct grade increase, effective as of today's date. Upon a roll call vote with all voting "yes," except Knutson and Berntson, who voted "no," motion carried.

Commissioner Froelich made a motion, seconded by Berntson, to approve and sign the jail contracts with the counties of Steele, Sargent, Dickey, Logan, LaMoure, and Ransom, and the City of Lisbon, at a rate of \$65 per day. Upon a roll call vote with all voting "yes," motion carried.

With no further business to come before the Board, Commissioner Knutson made a motion, seconded by Froelich, to adjourn. Motion carried.

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Edward R. McGough  
Barnes County Auditor

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Cindy Schwehr, Chairperson  
Barnes County Commission