

Barnes County Commission  
May 20, 2014  
Valley City, ND 58072

The Barnes County Commission met in regular session on Tuesday, May 20, 2014 with Phil Leitner, Cindy Schwehr, Eldred Knutson, John Froelich, and Rodger Berntson present. Chairman Knutson called the meeting to order at 8:00 a.m., the Pledge of Allegiance was recited, and the Agenda was reviewed.

**Social Services – Spring Showcase Awards / Permanent Status Request**

Tom Overn, Social Services board chairman, and Candy Huss, Director, appeared before the Commission. Mr. Overn recommended that Candy Huss graduate to permanent status as Social Services Director. Phil Leitner moved to approve the request; John Froelich seconded the motion. Upon roll-call vote, motion carried, with all members voting "yes". Ms. Huss introduced her staff and announced the Spring Showcase Awards given by the State to Gwen Coit, Becky Compson, Dirinda Jewett, Dana Lindemann, Catherine Metzger, Jill Pederson, Eloise Olson, Carolyn Schlenvogt, Cynthia Unger, Deanna Youle, and Candy Huss.

**Grant Young – Shop Removal**

Grant Young, Marsh Township resident, requested an extension of time in order to postpone removal of his shop from the property to coordinate with the removal of his house. John Froelich moved to approve the request; Cindy Schwehr seconded the motion. Upon roll-call vote, motion carried, with all members voting "yes".

**State's Attorney – Platting & Subdivision Regulation**

Carl Martineck, State's Attorney, presented a Memorandum of Understanding (MOU) between Barnes County and the City of Valley City regarding extra-territorial jurisdiction for platting and subdivision regulation. The Commission requested a revision to the proposed MOU to require that the City request Township and County recommendations pertaining to roads and right-of-way issues.

**Highway Dept – Project Updates / Approach Application**

Shawn Mayfield, Kadrmas, Lee & Jackson, and Kerry Johnson, Highway Superintendent, updated the Commission on road projects. The paving of the top lift on the Eckelson Lake grade raise will begin next week, and then they will finish up on the Ashtabula Slide Repair. The contractor on the Urbana grade raises plans to start as soon as road restrictions are off (most restrictions will go off tomorrow). The North Valley Road to Getchell School project will take 4 to 6 weeks and should be done by mid-July. The North Valley Road from Getchell School to State Highway 26 project should start in mid-July and take 3 to 4 weeks. This includes the excavation for the box culvert, which will require a detour one mile west for 3 to 4 days. The North Valley railroad level crossing will be worked on July 14 – 17. The Corps of Engineers wants to coordinate paving of the Mel Rieman Recreation Area roads.

Mr. Johnson presented an Approach Application from Scott Legge requesting an approach on County Road #11 about 1 ½ mile south of I-94 on west side. The alternative access to the field is in a wet area, and the proposed approach meets county requirements. Rodger Berntson moved to approve the application; John Froelich seconded the motion. Upon roll-call vote, motion carried, with all members voting "yes".

Mr. Johnson informed the Commission that he has filled the open Operator position, and Kevin Hein will be starting on June 2<sup>nd</sup>.

**Planning & Zoning – Variances**

Liz Roorda, Deputy Tax Director, presented an application for Variance - Setback from Richard Lorenz (Noltmier Township, NW ¼ 35-141-57). Cindy Schwehr moved to approve the application; John Froelich seconded the motion. Because structures and trees already exist within the setback and no opposition was received on the local level, upon roll-call vote, motion carried with all members voting "yes". Ms. Roorda presented an application for a Variance – Setback from Alex Bitz (Ashtabula Township, NW ¼ 22-142-58). Cindy Schwehr moved to approve the application; John Froelich seconded the motion. Because this is already a subdivision and no protests were received on the local level, upon roll-call vote, motion carried with all members voting "yes". Ms. Roorda presented an application for a Variance – Setback from William A Artis (Potter Township, SW ¼ 35-140-60). Rodger Berntson moved to approve the application; Cindy Schwehr seconded the motion. Because the property is on the east side of the road and the existing shelterbelt is closer, upon roll-call vote, motion carried with all members voting "yes". Ms. Roorda presented an application for a Variance – Setback from David D Pedersen (Sibley Trail Township, Mielke's Subdivision 35-143-58). Cindy Schwehr moved to approve the application; John Froelich seconded the motion. Because Mr. Pedersen also owns the adjoining parcel and no one expressed opposition at the local level, upon roll-call vote, motion carried with all members voting "yes". Ms. Roorda presented an application for a Variance – Setback from Lloyd Charles Triebold (Edna Township, SE ¼ 13-142-60). Cindy Schwehr moved to approve the application; John Froelich seconded the motion. Because this would replace a previous structure lost in fire and existing trees are closer than the structure, upon roll-call vote, motion carried with all members voting "yes". Ms. Roorda presented an application

for a Variance – Setback from Jeff A Gilbertson (Ashtabula Township, Jewett's Beach 2<sup>nd</sup> Subdivision 21-142-58). Cindy Schwehr moved to approve the application; John Froelich seconded the motion. Because this is in a subdivision and letters were sent to neighboring property owners who expressed concern at the meeting, but once circumstances were explained, they had no objections, upon roll-call vote, motion carried with all members voting "yes". Ms. Roorda presented an application for a Temporary Variance – Setback from Great Plains Mill Properties (Hobart Township, NW ¼ 23-140-59). John Froelich moved to approve the application; Cindy Schwehr seconded the motion. Because this is a temporary structure and plans are being made for a permanent structure that would need to go through the same approval process, upon roll-call vote, motion carried with all members voting "yes". The Planning & Zoning board recommended having a separate full-time person to handle all Planning & Zoning matters. The Commission requested a recommendation from Betty Koslofsky.

#### **Sheriff – Tower / CAD System Installation**

Randy McClaflin updated the Commission on radio towers, and informed them that the CAD system installation is set for June 16 – 23. Key personnel will be sent to Chicago for intensive training mid-July. Crossroads Steakhouse and Lounge was given a 2 month extension by Health Department personnel to complete their septic system upgrade. Remote surveillance options were discussed.

#### **Paul Stenshoel – Rural Barnes County Cemeteries**

Paul Stenshoel presented information received from Mike Montplaisir, Cass County Auditor regarding upkeep of rural cemeteries, including North Dakota Century Code references and photos recently taken of the Minnie Lake Cemetery and Mabel Morton Cemetery.

#### **Auditor – Minutes/Schwab Clarification/Miscellaneous**

The minutes for the May 6, 2014 regular Commission meeting, as well the May 12, 2014 Special EDC meeting and May 12, 2014 Special Legislative meeting were reviewed. Rodger Berntson moved to approve all three sets of minutes with corrections; John Froelich seconded the motion. Motion carried.

It was noted that the reason for the April 15, 2014 approval of an application for a Conditional Use Permit (CUP), a Zoning District Amendment, and a Variance (Lot Size) from Andrew J Schwab (Getchell Township, E ½ 10-141-58), in which John Froelich moved to approve the application and Cindy Schwehr seconded the motion, and which, upon roll-call vote, motion carried, with Eldred Knutson and Rodger Berntson voting "no", was that it did not cause hardship or concern in the neighborhood.

Beth Didier, Auditor, requested that the Commission share some of the one-time costs for the re-vamping of the annual budget books. John Froelich moved to pay \$96.21 from the Commissioner's departmental budget for office supplies; Cindy Schwehr seconded the motion. Motion carried. Ms. Didier presented a Memorandum from the Valley Quilters' Guild requesting the use of the Barnes County Courthouse for their annual quilt show scheduled for Saturday, August 2, 2014. Cindy Schwehr moved to approve the request; John Froelich seconded the motion. Motion carried. The County received a safety discount check in the amount of \$2,036.65 for its successful participation in the Workforce Safety and Insurance's Designated Medical Provider and Drug Free Workplace Safety Discount Programs.

#### **Commission Discussion**

Other topics discussed include: the dedication of the Olson property, campground host interviews, acoustic panels, library board pursuing a 501-C-3 non-profit status for the benefit of the library, fire district reorganization, North Dakota Winter Show, and preparations for the upcoming County Equalization meeting.

With no further business, Phil Leitner made a motion, seconded by John Froelich, to adjourn the meeting. Motion carried unanimously.

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Beth M Didier  
Barnes County Auditor

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Eldred Knutson, Chairman  
Barnes County Commission