

The Board of Barnes County Commissioners met in regular session on Tuesday, July 20, 2004, with all members present.

Kerry Johnson, Highway Superintendent, and Ross Eberle, Kadrmass, Lee and Jackson, met with the Commission. Johnson presented two utility permits from Intercommunity Telephone Company. Johnson informed the Commission he has no problem with Commission approval of the permits.

Commissioner Schwehr moved and Commissioner Maasjo seconded motion to approve the two utility permits from Intercommunity Telephone Company. Upon a roll call vote with all voting "Yes," motion carried.

Johnson and Eberle discussed the 2005-2006 projects for Barnes County.

Commissioner Opdahl moved and Commissioner Berntson seconded motion to approve the minutes of July 6 as presented. Upon a roll call vote with all voting "Yes," motion carried.

The Commission congratulated Commissioner Schwehr for her recognition as recipient of the North Dakota Community Leadership Award presented to her by the Greater North Dakota Association.

Commissioner Berntson moved and Commissioner Schwehr seconded motion to adopt the following resolution:

#### RESOLUTION 9

#### **Resolution to Support Legislation Authorizing Issuance of Local Burning Bans**

WHEREAS, The Barnes County Commissioners recognize the issue of extremely dry conditions in various parts of the state.

WHEREAS, Local fire departments are required to respond to fires set during conditions of extreme fire danger as determined by the National Weather Service.

WHEREAS, The North Dakota Century Code makes some provisions for enforcement of state issued burn bans.

Be it therefore resolved that the Barnes County Commissioners support legislation giving individual county commissioners, working in consultation with county emergency managers, the authority to issue local burn bans when the fire index is in the extreme condition, and that a penalty be imposed for violations of the burning ban.

Dated at Valley City, North Dakota this 20th day of July, 2004.

Barnes County, North Dakota  
Palmer Paulson, Chairman  
Barnes County Commissioners

ATTEST:

Edward R. McGough, County Auditor

Jason Thiel, MIS Director, and Marcy Grant, City-County Health Director, met with the Commission to discuss a T1 line recently installed in the Courthouse. The T1 line had been installed without the permission of either the Commission or the MIS Director. Grant stated she had not given permission for the installation. It was the consensus of the board that more information be researched before any decisions are made on following up with the conferencing equipment.

Thiel informed the Commission that a file server had failed and shared concerns about the age of the 400 computer.

Commissioner Opdahl moved and Commissioner Maasjo seconded motion to approve the purchase of a new AS400 main frame computer for approximately \$32,000, and to amend the MIS budget to reflect the cost. Upon a roll call vote with all voting "Yes," motion carried.

NDSU Extension Home Economist Ellen Bjelland and County Agent Randy Grueneich presented their quarterly reports and discussed their various programs with the Commission.

States Attorney Robin Huseby requested support from the Commission for the nomination of Ed McGough, Auditor, for an award from the Association of Counties for "Excellence in the category of Elected Official."

Commissioner Maasjo moved and Commissioner Opdahl seconded motion of support. Upon a roll call vote with all voting "Yes," motion carried.

Commissioner Schwehr moved and Commissioner Maasjo seconded motion to approve Bridge Bond Resolution #10 (see Resolution #10 following minutes).

Commissioner Schwehr moved and Commissioner Maasjo seconded motion to re-appoint Dr. James Buhr as County Coroner.

Norma Duppler, Emergency Manager, and Linda Anderson, Payroll/Personnel, members of the Compensation Committee, presented information to the Commission on 2005 salary increases and other employee issues. The Commission requested information on PERS retirement costs for 2004 and the upcoming year. Duppler also informed the Commission that there is a request to look at the department head classifications. This is to be done in the next two weeks.

R. Jon Fitzner conducted bid letting for the demolition and property cleanup for seven sites in Valley City. The following bids were received:

O.H. Blumer Construction -- \$49,815.00

Bob's Excavating -- \$31,370.00

C.R. Excavating -- \$42,800.00.

Commissioner Berntson moved and Commissioner Opdahl seconded motion to accept the bid from Bob's Excavating for \$31,370.00. Upon a roll call vote, with all voting "Yes," motion carried.

The Commission discussed an upcoming Open House planned for Clausen Springs, July 30, from 2-5 p.m. It was decided that county employees may go, but no offices will be closed. Further, if county employees take time off to go, they must be present at the Open House. The Commission also decided to offer free camping at Little Yellowstone for all county employees at any time, for one camper and one tent.

Unightly property and an abandoned elevator in Eckelson were discussed. Numerous residents, Zoning Board members, and a representative of the State Health Department were present for the discussion. States Attorney Robin Huseby will send correspondence to those involved.

Commissioner Opdahl moved and Commissioner Maasjo seconded motion to charge the City-County Health Department \$5.00 per square foot for rent expense, to take effect in the 2005 fiscal budget. Upon a roll call vote with all voting "Yes," motion carried.

There being no further business to come before the Board, Commissioner Schwehr moved and Commissioner Berntson seconded motion to adjourn.

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Edward R. McGough  
Barnes County Auditor

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Palmer Paulson, Chairman  
Barnes County Commission

**NOTICE OF SALE**

**\$500,000  
BARNES COUNTY, NORTH DAKOTA  
GENERAL OBLIGATION BRIDGE IMPROVEMENT BONDS OF 2004**

Sealed bids for the purchase of the above-captioned bonds of Barnes County, North Dakota will be received until 5:00 p.m., CDT, Monday, August 16, 2004, at the office of the County's financial consultant at the address set forth below. The bids will be considered by the Board of County Commissioners at 10:00 a.m., CDT, the next day.

The Bonds will be dated initially as of September 1, 2004, and will mature serially on May 1 in the years and amounts set forth below:

<u>Year</u>	<u>Amount</u>
2005	\$ 95,000
2006	\$ 95,000
2007	\$100,000
2008	\$105,000
2009	\$105,000

Interest on the Bonds will be payable semiannually on each May 1 and November 1, commencing May 1, 2005. The Bonds are not callable. Bids may use a combination of serial and term bonds. One rate per maturity expressed in integral multiples of 1/20 or 1/8 of 1%, in non-descending order.

Bids must be at a price not less than \$493,750 (98.75%) plus accrued interest.

The Bonds will be designated as qualified tax-exempt obligations under Section 265 of the Internal Revenue Code.

Bids must be accompanied by a certified check, cashier's check, surety bond, or bond draft in the amount of \$5,000 (1%).

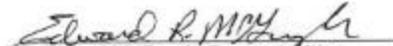
Proceeds of the Bonds will be used to construct, enlarge or repair bridges and to pay costs incidental to such construction and bond issuance.

The legal opinion will be provided by Cook Wegner & Wike PLLP, of Bismarck, North Dakota.

Additional information concerning the offering may be obtained from the County Auditor or from the County's financial consultant, Dougherty & Company LLC, 120 North Third Street, PO Box 2157, Bismarck, ND 58502. (701) 222-1616.

Dated this 20th day of July, 2004.

**BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF  
BARNES COUNTY, NORTH DAKOTA**

  
Edward McGough, County Auditor

BARNES COUNTY, NORTH DAKOTA

**RESOLUTION PROVIDING FOR THE SALE  
OF \$500,000 GENERAL OBLIGATION BRIDGE IMPROVEMENT  
BONDS OF 2004**

BE IT RESOLVED by the Board of County Commissioners of Barnes County, North Dakota (the "County"), as follows:

Section 1. Authorization. Pursuant to the authority provided by Section 21-03-06(1)(b) of the North Dakota Century Code, the County shall proceed to offer at public sale upon sealed bids its General Obligation Bridge Improvement Bonds of 2004 in the principal amount of \$500,000 (the "Bonds"). This Board shall meet at 10:00 a.m. on August 17, 2004, to consider the bids and take such action regarding the Bonds as shall then be deemed necessary and expeditious.

Section 2. Publication of Notice of Sale. Bids for the purchase of the Bonds will be received at the place, on the date, and at the time specified in Attachment 1 hereto, and the County Auditor is hereby authorized and directed to cause notice of the sale of the Bonds to be published least once in the official newspaper of the County not less than ten days nor more than thirty days before the date specified in such notice for the receiving of such bids. Said notice of sale shall be in substantially the same form as Attachment 1.

Section 3. Official Statement and Official Notice of Bond Sale. The County Auditor, in cooperation with Dougherty & Company, financial consultant to the County, is authorized and directed to prepare, on behalf of the County, an official statement (including an official notice of bond sale) to be distributed to potential purchasers of the Bonds. Such official statement shall contain information as shall be deemed advisable and necessary to adequately describe the County and the security, terms and conditions of the Bonds. Such official statement shall be examined and approved by the County Auditor prior to its distribution to potential purchasers.

Section 4. Sale of Bonds. The County Auditor, in conjunction with the County's financial consultant, states attorney, and bond counsel, is hereby authorized to fulfill the requirements for sale of the Bonds on the date determined by this body. Such officials are further authorized to perform such acts as may be required to complete sale arrangements preliminary to the approval of the sale.

Dated this 20<sup>th</sup> day of July, 2004.

**BARNES COUNTY, NORTH DAKOTA**



Palmer Paulson, Chairman  
Board of County Commissioners

ATTEST:

  
Edward McGough, County Auditor

( S E A L )

The governing body of the political subdivision acted on the foregoing resolution on the 20<sup>th</sup> day of July, 2004 as follows:

Adoption moved by \_\_\_\_\_ Seconded by \_\_\_\_\_

Roll Call Vote (List Last Names)

"Aye" \_\_\_\_\_

"Nay" \_\_\_\_\_

Abstain \_\_\_\_\_

Absent \_\_\_\_\_

After the vote the presiding officer declared the resolution adopted.

NOTICE OF SALE

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Dated this 20th day of July, 2004.

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BARNES COUNTY, NORTH DAKOTA

  
Edward McGough, County Auditor