

Barnes County Commission
Tuesday, August 17, 2010
Valley City, North Dakota

The Barnes County Commission met in regular session Tuesday, August 17, 2010, with all members present.

Shawn Mayfield of KLJ reported that the box culvert located south of Sanborn on County Road 11 [Project CER-0211(056)], is now complete and blacktopping is currently underway. The next culvert scheduled is Project CER-0207(056), located 2 miles north of Leal.

Kerry Johnson, Highway Superintendent, gave updates on all Highway Department projects and expressed his concerns that contractors working on the two ER grade raise projects may not meet the deadlines for the 100% federal funding.

Commissioner Froelich made a motion, seconded by Opdahl, to enter into agreements with KLJ for construction engineering on two box culvert installation projects, CER-0207(056), 3 miles north of Leal, and CER-0221(070), 8 miles north of Valley City. Upon a roll call vote with all voting "yes," motion carried.

Discussion took place on County participation on gated railroad crossings on township roads. Currently there is a 10% local match required to install a gated railroad crossing if it is in an eligible location. Discussion centered on whether the County should help the townships with the 10% cost. No action was taken at this time.

Commissioner Froelich made a motion, seconded by Weber, to approve the minutes of August 3. Motion carried.

Commissioner Weber made a motion, seconded by Berntson, to cancel 2009 property taxes on Valley City property PCL: 63-5860765 in the amount of \$150.05. Upon a roll call vote with all voting "yes," motion carried.

Commissioner Froelich reported on a meeting in Fargo he attended regarding the Devils Lake situation and downstream concerns. The meeting was sponsored and attended by Sen. Conrad and Gov. Hoeven.

Betty Koslofsky, Tax Director/Zoning Coordinator, presented the following Planning & Zoning Board recommendations: William Poukka, building variance, barn addition; Gerold Busche, zoning change (ag to residential) & auditor's lot, residence; Scott Cummings, zoning change (ag to commercial), shop; and Mark Askeroth, auditor's lots & size variances.

Commissioner Froelich made a motion, seconded by Opdahl, to approve the recommendations as presented. Upon a roll call vote with all voting "yes," motion carried.

Those attending the Green Hills project discussion included the following: Eldred Knutson, Chuck Luessen, Ray & Lillian Borg, and Greg & Marcy Svenningsen.

Kirby Anderson and Tom Hrdlicka of Otter Tail Energy Services were present to discuss their request for conditional use permits and height variances for their Green Hills Energy wind farm project. Mr. Anderson stated that, since the August 12 zoning meeting, they re-evaluated the distance of towers from buildings from under to over the 1400 feet to meet state requirements. Commissioner Froelich expressed his thanks for their re-evaluation.

Chuck Luessen presented his concerns to the Commission as to area landowners who do not receive compensation for road damage and being within sight of the towers.

Commissioner Froelich made a motion, seconded by Weber, to approve the request for a conditional use permit and height variance for Otter Tail for the Green Hills project, as recommended by the Zoning Board. Upon a roll call vote with all voting "yes," motion carried.

County board appointments were discussed.

Commissioner Opdahl made a motion, seconded by Froelich, to re-appoint Dr. Buhr as county coroner for a five-year term. Motion carried.

Commissioner Weber agreed to seek a candidate for the School Annexation, Reorganization, and Dissolution Board from District 2 to fill an open position on that board.

U.S. Fish & Wildlife Service representatives Chad Zorn, Stacy Hoehn, Tammy Fairbanks, and Kim Hanson met with the Commission to discuss the process and the impact involved with the purchase of approximately 80 acres of Barnes County land from George Tvedt.

Discussion took place regarding a proposed resolution to request action to armor the Tolna Coulee to alleviate potential effects of Devils Lake flooding.

Commissioner Froelich made a motion, seconded by Weber, to adopt Resolution 10.6, Urging the Armoring of the Tolna Coulee at the East End of Devils Lake. Upon a roll call vote with all voting "yes," motion carried.

Resolution 10.6 - Barnes County, North Dakota

Resolution Urging the Armoring of the Tolna Coulee at the East End of Devils Lake

WHEREAS, with the recent increase in the level of Devils Lake, many downstream residents fear an uncontrolled outflow of extremely poor quality water from the east end of Devils Lake through the Tolna Coulee and into the Sheyenne River;

NOW, therefore be it resolved that, IN ORDER TO ALLEVIATE SUCH FEARS, the Barnes County commission urges the U.S. Army Corps of Engineers armor the Tolna Coulee at an elevation of 1,459 feet above sea level.

/s/ Cindy Schwehr, Barnes County Commission Chair

August 17, 2010

Dave Majerus, Kathryn mayor, and Alicia Hoffarth, VC-BC Development Corp., met with the Commission to request a \$3,500 grant from the BC Development Fund to assist with roof repair at the Kathryn school building, which is owned by the city.

Commissioner Weber made a motion, seconded by Opdahl, to approve the \$3,500 grant to the Development Corp. to be used for assistance to the City of Kathryn for roof repair on the Kathryn school. Upon a roll call vote with all voting "yes," motion carried.

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

Edward R. McGough
Barnes County Auditor

Cindy Schwehr, Chairperson
Barnes County Commission