

The Barnes County Commission met in regular session Tuesday, March 22, 2011 with all members present.

Kerry Johnson, Highway Superintendent, and Mark Anderson, KLJ, presented a construction maintenance agreement.

Commissioner Berntson made a motion, seconded by Leitner, to allow the chairperson to sign the construction maintenance agreement between Barnes County and the State of North Dakota for Project CER-0222(069), a federal aid project for a grade raise east of the ND Highway 1 intersection. Upon a roll call vote with all voting "yes," motion carried.

Mr. Johnson also presented an approach application submitted by Daniel Lund.

Commissioner Leitner made a motion, seconded by Froelich, to approve the application for Daniel Lund for two approaches at the S1/2, NW1/4 and the SW1/4, Twp 137N, R 57W. Upon a roll call vote with all voting "yes," motion carried.

Mr. Anderson updated the Commission on the progress of emergency road projects in the county, and discussed upcoming federal aid projects.

Johnson informed the Board that the state bridge at Sibley will be built one-half bridge at a time to satisfy the transportation concerns of residents and suppliers.

Anderson discussed the North Valley Bridge project as to easements and legalities. He also presented an engineering consulting agreement between the county and KLJ for signature.

Commissioner Leitner made a motion, seconded by Froelich, to sign a 2-year engineering consulting agreement with KLJ. Upon a roll call vote with all voting "yes," motion carried.

Commissioner Leitner made a motion, seconded by Froelich, to approve the minutes of March 1, 2011. Upon a roll call vote with all voting "yes," motion carried.

Commissioner Froelich made a motion, seconded by Knutson, to approve and sign the deed placing 8 FEMA properties in Valley City's name. Upon a roll call vote with all voting "yes," motion carried.

Commissioner Froelich made a motion, seconded by Leitner, to transfer \$20,000 allowed for 2011 for the Truck Regulatory program, to continue another year, and to amend the General Fund non-departmental budget to reflect these costs. Upon a roll call vote with all voting "yes," except Berntson, who voted "no," motion carried.

Kim Franklin, EMA, informed the Commission that the architect's cost for design and estimating the EOC is approximately \$60,000 to \$70,000, and that more information is needed on the type of building before giving a more accurate quote.

Commissioner Knutson informed the Commission that the cost of renovating an existing building as an EOC is approximately \$706,400.

Commissioner Froelich stated that he feels the cost is too high for the need, and that the County should not move forward with a new EOC. Commissioners Leitner, Knutson, and Berntson agreed that the project should be discontinued.

Commissioner Leitner made a motion, seconded by Froelich, to discontinue the project, reject the grant and to not pursue the USDA loan. Upon a roll call vote with Froelich, Leitner, Knutson, and Berntson voting "yes," and Schwehr voting "no," motion carried.

Ms. Franklin discussed the need for a County sandbag central, stating she has not found a location as yet.

It was the consensus of the Board that the cold storage building at the Highway Department be used to store the sand, and the residents could fill bags and load and haul from there.

Randy McClafin, Sheriff, was present to open bids on a new sheriff vehicle. The following bids were received:

Stoudt Ross Ford, with trade	\$19,682.38
Crown Vic	18,686.38
Miller Motors, with trade:	20,611.00
Perkins, Caprice	23,989.00
Impala	19,997.00

Commissioner Berntson made a motion, seconded by Froelich, to accept the bid from Stoudt Ross Ford on the 2011 Crown Victoria police interceptor for approximately \$18,686.38. Upon a roll call vote with all voting "yes," motion carried.

Brad Cruff, Assistant State's Attorney, discussed salary grade levels for the two sheriff deputies recently promoted to sergeant. Sheriff McClafin requested a grade raise from 10 to 11.

Commissioner Froelich made a motion, seconded by Knutson, to approve the grade change request for Dan Anderson and Julie Forsberg, from Grade 10 to Grade 11. Upon a roll call vote with all voting "yes," motion carried.

McClafin also discussed offering the open position of Chief Deputy/Investigator to Don Fiebiger, who previously held that position for 8 years, at a salary of \$23.22 per hour. Upon a roll call vote with all voting "yes," motion carried.

Commissioner Berntson made a motion, seconded by Knutson, to allow McClafin to offer the position to Don Fiebiger as requested, with a Grade 12 salary of \$23.22 per hour. Upon a roll call vote with all voting "yes," motion carried.

Prairie Public Television requested a gaming site authorization at the Ram bar.

Commissioner Leitner made a motion, seconded by Berntson, to approve gaming site authorization at the Ram, for Prairie Public Television. Upon a roll call vote with all voting "yes," except Knutson and Froelich who voted "no," motion carried.

Lee Grossman, State's Attorney, and Betty Koslofsky, Zoning Coordinator, requested adoption of an amended version of the Barnes County Planning and Zoning Development Code.

Commissioner Froelich made a motion, seconded by Knutson, to adopt the amended, 2011 version of the Code. Upon a roll call vote with Berntson, Leitner, Froelich and Knutson voting "yes," and Schwehr voting "no," motion carried.

Betty Koslofsky, Zoning Coordinator, presented information for two variance hearings.

Commissioner Leitner made a motion, seconded by Berntson, to approve a 101' building variance for Thomas J. Johnson, as recommended by Meadow Lake Township and the Barnes County Planning and Zoning Board. Upon a roll call vote with all voting "yes," motion carried.

Commissioner Knutson made a motion, seconded by Froelich, to approve a 100' building variance for Scott A. Nelson as recommended by Getchell Township and the Barnes County Planning and Zoning Board. Upon a roll call vote with all voting "yes," motion carried.

Kerry Johnson held a bid opening for culverts and oil products. No bids were received for oil. One bid for culverts was received from Johnson Culverts, Inc., of Fargo, as follows: 18" - \$16; 24" - \$12.23; and 36" - 29.04.

Commissioner Knutson made a motion, seconded by Berntson, to accept the culvert bid from Johnson Culverts. Upon a roll call vote with all voting "yes," motion carried.

Discussion was held regarding appointments to the Airport Authority. Two residents applied for appointment, and the two incumbents stated they were interested in continuing their positions.

Commissioner Froelich made a motion to appoint Mike Lerud, and to re-appoint Dennis Helland to the airport board. Motion failed for lack of a second.

Commissioner Leitner made a motion to appoint Mike Lerud and Nate Sayler to the two positions. Motion failed for lack of a second.

Commissioner Knutson made a motion, seconded by Berntson, to re-appoint Dennis Helland and Larry Welken to the Airport Authority positions. Upon a roll call vote with Knutson, Berntson, and Schwehr voting "yes," and Leitner and Froelich voting "no," motion carried.

Valley Township officers met with the Commissioner regarding the proposed annexation process ongoing with the City of Valley City. Numerous Barnes County residents involved with the annexation process spoke and/or were present.

Carol Umsted, Valley Township clerk-treasurer, stated the township would lose approximately \$11,124 if annexed.

Maurice Pederson, township supervisor, stated the 32 miles of road in the township requires the taxpayers to support this expense.

Bill Carlblom, township supervisor, said that losing residents' valuation is losing dollars to support township expenses.

The township officers asked the Commission to support their position against the annexation of Valley Township to the City of Valley City.

After discussion, Commissioner Knutson made a motion, seconded by Leitner, to adopt the following resolution supporting Valley Township's position against the proposed annexation. Upon a roll call vote with all voting "yes," motion carried.

**Resolution 11.5: Support of Opposition of Valley Township to Annexation to City**

**WHEREAS**, the City of Valley City is seeking to annex property located in Valley Township to be incorporated within the city limits of the City of Valley City.

**WHEREAS**, the annexation is contrary to the will of a majority of the residents of Valley Township that will be directly and indirectly affected by the annexation.

**WHEREAS**, if the proposed annexation is approved, Valley Township stands to lose approximately one-fourth (1/4) of its annual budget each and every subsequent year as a result of lost tax revenue.

**WHEREAS**, the proposed annexation poses no benefit to either Valley Township or Barnes County.

**WHEREAS**, for the foregoing reasons, Valley Township is opposed to the proposed annexation.

**WHEREAS**, the annexation process has failed at mediation and is now before an administrative law judge and will be heard on March 31, 2011.

**THEREFORE**, the Barnes County Board of County Commissioners hereby supports Valley Township in its opposition to the annexation of real property located in Valley Township, by the City of Valley City.

This Resolution adopted by the Barnes County Commission 3-22-2011

/s/ Cindy Schwehr, Chair, Barnes County Commission

Edward R. McGough, Barnes County Auditor

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

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Edward R. McGough  
Barnes County Auditor

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Cindy Schwehr, Chairperson  
Barnes County Commission