

The Barnes County Commission met in regular session on Tuesday, March 17, 2015 with Mike Metcalf, Bill Carblom, Cindy Schwehr, John Froelich, and Rodger Berntson present. Chairman Schwehr called the meeting to order at 8:00 a.m., the Pledge of Allegiance was recited, and the Agenda was reviewed.

#### Drug Testing Policy

Mike Metcalf moved to have the Drug Testing Coordinator take on the portfolio-holders' responsibilities for notifying department heads of their selection for random drug testing and scheduling the testing appointments, until such time as the policy is reviewed or revised; Bill Carblom seconded the motion. Motion carried upon roll-call vote, with all members voting "yes".

#### Auditor – Minutes

John Froelich moved to approve the March 3, 2015 minutes with corrections; Mike Metcalf seconded the motion. Motion carried.

#### Planning & Zoning – Variance & CUP

Betty Koslofsky, Tax Director, presented an application for a Variance (set-back) from Rydell Becker (Getchell Township, SW ¼ 21-141-58). John Froelich moved to approve the application; Bill Carblom seconded the motion. Motion carried upon roll-call vote, with Mike Metcalf voting "no". Ms. Koslofsky presented an application for a Conditional Use Permit (CUP) – Ag to Commercial, from Arthur Companies (Ellsburry Township, SW ¼ 17-143-56). Mike Metcalf moved to approve the application; John Froelich seconded the motion. Motion carried upon roll-call vote, with all members voting "yes".

#### Tax Director – 2016 Assessing Contracts

Rodger Berntson moved to approve 2016 Assessing Contracts with the Cities of Sanborn and Kathryn; Mike Metcalf seconded the motion. Motion carried upon roll-call vote, with all members voting "yes". .

#### Kya Schroeder – Courthouse Skylights

Kya Schroeder, architect with LJA, discussed options for repair of the Courthouse skylights, and suggested next steps in the process. Mike Metcalf will follow up with the State Historical Society.

#### Highway Department – Approach Applications

Kerry Johnson presented an Application for an Approach from Dwight Grotberg located along County Road #3 about ½ mile north of County Road #22. Rodger Berntson moved to approve the Application; John Froelich seconded the motion. Motion carried upon roll-call vote, with all members voting "yes". Mr. Johnson presented an Application for an Approach from CP Rail to re-locate an approach located along County Road #19 near the fish hatchery. Mike Metcalf moved to approve the Application; John Froelich seconded the motion. Motion carried upon roll-call vote, with all members voting "yes". The bid opening for road oil and culverts will be held on April 21<sup>st</sup> at 10:30 am.

#### 911 Dispatch – Time-keeping Issues

Jason Thiel, MIS Coordinator, addressed the Commission on behalf of Kim Franklin, 911 Coordinator and recommended that, for payroll time-keeping purposes, full-time dispatchers be paid at the appropriate rate (either day shift or night shift) for their entire scheduled shift, regardless of whether they clocked in earlier or clocked out later than scheduled, and that part-time dispatchers who work across the shift-change be paid at the appropriate rate (either day shift or night shift) for those hours worked in each shift category. Bill Carblom moved to approve the recommended clarification; John Froelich seconded the motion. Motion carried upon roll-call vote, with all members voting "yes".

#### Auditor –Eckelson Special Assessment

Beth Didier, Auditor, presented the following Resolution:

#### **RESOLUTION No. 2015-2 Eckelson Special Assessment**

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BARNES COUNTY, NORTH DAKOTA, WHEREAS, North Dakota Century Code 23-35-09 gives the governing body of the county the ability to levy and assess against the property the cost of the removal or destruction of a nuisance, source of filth, or cause of sickness; and WHEREAS, bills for cleanup of David Maack's property in Eckelson ND (parcels 09-1440480, 09-5000100, and 09-5000350) were received by Barnes County totaling \$10,417.30, the Barnes County Auditor's Office billed Mr. Maack for the cost, and no reimbursement was received from Mr. Maack; and WHEREAS, the county auditor has provided proper notice per North Dakota Century Code 40-22-06; NOW THEREFORE, BE IT HEREBY RESOLVED that the outstanding expense shall be spread and assessed upon the parcels listed above, to be recorded, collected, and paid as other taxes are recorded, collected, and paid.

Passed, adopted, and approved this 17<sup>th</sup> day of March, 2015.

ATTEST:

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Beth M Didier, Auditor  
Barnes County, North Dakota

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Cindy Schwehr, Chairman  
Barnes County Board of Commissioners

Rodger Berntson moved to approve Resolution No. 2015-2; Mike Metcalf seconded the motion. Motion carried upon roll-call vote, with all members voting "yes".

**Highway Department – BRW Right-of-Way Easement**

John Froelich moved to approve signing of a right-of-way easement between Barnes County Highway Department and Barnes Rural Water (BRW) District for .51 acres in the west ½ of 14-137-58; Bill Carlblom seconded the motion. Motion carried upon roll-call vote, with all members voting "yes".

**Barnes County Relay for Life – Site Request**

Lisa McCulloch, Barnes County Relay for Life, requested use of the Courthouse lawn for the 2015 Relay for Life event, to be held on June 19, 2015. Mike Metcalf moved to approve the request; John Froelich seconded the motion. Motion carried upon roll-call vote, with all members voting "yes".

**Sheyenne River Snagging & Clearing District Resolution**

John Froelich presented the following Resolution:

**Resolution No. 2015-4 DECLARING THE NECESSITY TO CREATE  
SHEYENNE RIVER SNAGGING AND CLEARING DISTRICT NO. 2015-01**

WHEREAS, the Barnes County Commission (the "County") and the Barnes County Water Resource District (the "District") have cooperated regarding the creation of SHEYENNE RIVER SNAGGING AND CLEARING DISTRICT NO. 2015-01. WHEREAS, the District's jurisdictional boundaries include certain portions of the Sheyenne River, and the District has concluded certain snagging, clearing, cleaning, and maintenance is necessary in portions of the Sheyenne River within the District's jurisdictional boundaries. WHEREAS, more specifically, the District previously declared the necessity to create SHEYENNE RIVER SNAGGING AND CLEARING DISTRICT NO. 2015-01, a snagging and clearing district under N.D. Cent. Code § 61-16.1-09.1, for purposes of financing and funding a snagging, clearing, and maintenance project on that portion of the Sheyenne River depicted in the map attached to this RESOLUTION as **Exhibit A** (the "Project"). WHEREAS, the District previously analyzed and investigated that portion of the Sheyenne River watershed in the vicinity of the Project to determine what parcels of real property would benefit from the Project, and approved a preliminary assessment list for SHEYENNE RIVER SNAGGING AND CLEARING DISTRICT NO. 2015-01 comprised of real properties that will benefit from the Project. WHEREAS, the District and the County cooperated to conduct a joint public hearing regarding the Project and the proposed creation of SHEYENNE RIVER SNAGGING AND CLEARING DISTRICT NO. 2015-01 on March 9, 2015, preceded by all requisite notices in accordance with Section 61-16.1-09.1. WHEREAS, at the hearing, the District and its engineer explained the necessity for the Project; the lack of a sufficient alternative funding mechanism to fund snagging, clearing, cleaning, and maintenance along the Sheyenne River; the benefits the Project will provide to certain properties within the Sheyenne River watershed; and the need to create SHEYENNE RIVER SNAGGING AND CLEARING DISTRICT NO. 2015-01 under Section 61-16.1-09.1 to finance and fund the Project. WHEREAS, if both the District and the County approve the creation of SHEYENNE RIVER SNAGGING AND CLEARING DISTRICT NO. 2015-01 by two-thirds votes, the District can levy special assessments against properties that will benefit from the Project, up to a maximum of \$0.50 per acre for ag lands, and \$0.50 per \$500 of taxable valuation for non-ag property. WHEREAS, under Section 61-16.1-09.1, the District cannot collect more than \$100,000.00 for any single snagging and clearing district; rather, following expenditure of all assessments levied for purposes of the Project by the District, if the District wishes to conduct additional snagging and clearing in the same natural watercourse, the District must create a new snagging and clearing district, and must follow all procedures under Section 61-16.1-09.1 to create the new district, including an additional joint hearing with the County. WHEREAS, the County has reviewed the proposed Project; the County has considered the benefits the Project would provide to certain property within the Sheyenne River watershed; and the County has considered the necessity to create SHEYENNE RIVER SNAGGING AND CLEARING DISTRICT NO. 2015-01. WHEREAS, under Section 61-16.1-09.1, creation of SHEYENNE RIVER SNAGGING AND CLEARING DISTRICT NO. 2015-01 requires approval by two-thirds of the County and two-thirds approval by the District. WHEREAS, on March 9, 2015, following the joint public hearing, the District unanimously authorized, approved, and ordered the creation of SHEYENNE RIVER SNAGGING AND CLEARING DISTRICT NO. 2015-01.

NOW THEREFORE BE IT RESOLVED, that the Board of County Commissioners, Barnes County, North Dakota, declares it necessary to create SHEYENNE RIVER SNAGGING AND CLEARING DISTRICT NO. 2015-01 for the benefit of the properties within the Sheyenne River watershed that benefit from and rely upon the Sheyenne River for improved drainage and other benefits. BE IT FURTHER RESOLVED, that the Board of County Commissioners, Barnes County, North Dakota, authorizes, approves, and orders the creation of SHEYENNE RIVER SNAGGING AND CLEARING DISTRICT NO. 2015-01.

ATTEST:

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Beth M Didier, Auditor  
Barnes County, North Dakota

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Cindy Schwehr, Chairman  
Barnes County Board of Commissioners

**County Government Week**

Mike Metcalf moved to approve declaration of County Government Week; Bill Carlblom seconded the motion. Motion carried upon roll-call vote, with all members voting "yes".

**County Government Week – April 13 - 17, 2015**

**"Counties Moving America Forward: The Keys are Transportation and Infrastructure"**

WHEREAS, the nation's 3,069 counties serving more than 300 million Americans provide essential services to create healthy, safe, vibrant and economically resilient communities; and WHEREAS, counties move America forward by building infrastructure, maintaining roads, and bridges, providing health care, administering justice, keeping communities safe, running elections, managing solid waste, keeping records and much more; and WHEREAS, Barnes County and all counties take pride in their responsibility to protect and enhance the health, welfare and safety of its residents in efficient and cost-effective ways; and WHEREAS, through National Association of Counties President Riki Hokama's "Transportation and Infrastructure" initiative, NACo is encouraging counties to focus on how they have improved their communities through road projects, new bridges, building new facilities, water and sewer improvements and other public works activities; and WHEREAS, in order to remain healthy, vibrant, safe, and economically competitive, America's counties provide transportation and infrastructure services that play a key role in everything from residents' daily commutes to shipping goods around the world; and WHEREAS, each year since 1991 the National Association of Counties has encouraged counties across the country to actively promote their own programs and services to the public they serve; and WHEREAS, Barnes County is committed to moving forward by continually working to address transportation and infrastructure needs within the County; NOW, THEREFORE, BE IT RESOLVED THAT I, CINDY SCHWEHR, BARNES COUNTY COMMISSION CHAIRMAN, do hereby proclaim April 13 - 17, 2015 as County Government Week and encourage all county officials, employees, schools and residents to participate in county government celebration activities. Dated this 17<sup>th</sup> day of March, 2015.

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Beth M Didier  
Barnes County Auditor

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Cindy Schwehr  
Barnes County Commission Chairman

**Commission Discussion**

Kim Franklin, Bill Carlblom, and John Froelich will be meeting with KLJ regarding the 911 address mapping project. The Barnes County Township Officers Association will hold its spring meeting on March 26, 2015 at 9 a.m.

With no further business, Bill Carlblom made a motion, seconded by John Froelich, to adjourn the meeting. Motion carried unanimously, and meeting adjourned at 10:30 a.m.

Cindy Schwehr, Chairman  
Barnes County Commission

Beth M Didier  
Barnes County Auditor