

The Barnes County Commission met in regular session on Tuesday, November 7, 2017 with Cindy Schwehr, Bill Carlblom, Mike Metcalf, John Froelich, and Rodger Berntson present. Chairman Metcalf called the meeting to order at 8:00 a.m., the Pledge of Allegiance was recited, and the Agenda was reviewed.

**Planning & Zoning – 2018 Development Code Hearing**

Bill Carlblom made a motion to close the meeting and open the hearing; John Froelich seconded the motion. Motion carried and the hearing was opened. No one appeared to discuss the Planning & Zoning Code changes. Bill Carlblom made a motion to close the hearing and re-open the meeting; John Froelich seconded the motion. Motion carried and the meeting was re-opened. Liz Roorda, Deputy Tax Director, presented a Resolution to Adopt the Revisions to the Barnes County Development Code.

**Resolution 2017-4**

A RESOLUTION TO ADOPT THE REVISIONS TO THE BARNES COUNTY DEVELOPMENT CODE  
WHEREAS, the Barnes County Board of County Commissioners is the duly elected governing body for Barnes County and wishes to promote and plan for the health, safety, morals, public convenience, general prosperity, and public welfare; and North Dakota Century Code 11-33, outlines the procedure for the preparation, notification and recordation of county zoning resolutions. WHEREAS, the Barnes County Planning Commission has undertaken the task of revising the Barnes County Development Code, to include processes and procedures for the manufacturing and distribution of medical marijuana as well as modification and corrections to other zoning and subdivision regulations including but not limited to zoning district setbacks, regulation of tree plantings, and fines for violations of zoning regulations. WHEREAS, input from the public was sought during the planning process, and WHEREAS, the public was notified of and invited to attend hearings where the changes were reviewed and discussed. WHEREAS, the Development Code changes were duly noticed in the official county paper for two consecutive weeks and a public hearing was held on October 12, 2017, with the Planning Commission, and WHEREAS, the Planning Commission has reviewed and provided their recommendation to the Board of County Commissioners for approval of the revision of the Development Code, WHEREAS, the Development Code is attached hereto with revision, additions and deletions as noted.

- 2.3 Definitions (addition of Medical Marijuana and related terms; recreational vehicle and travel trailer)
- 5.1.3 Medical Marijuana Manufacturing Center – Agricultural conditional use
- 5.4.3 Medical Marijuana Manufacturing or Distribution Center – Industrial conditional use
- 5.5.2 Recreational vehicle, travel trailer and park model – Recreation allowed use
- 5.5.4 Recreational district setbacks
- 6.13 Tree plantings - setbacks
- 6.19 Medical Marijuana – Purpose, Permit Fee, CUP Requirements
- 12 Fines

And other corrections, clarifications and modifications as shown in the copy of the Development Code that is in the Auditors office as a part of the Resolution process.

NOW, THEREFORE BE IT RESOLVED, that the Board of County Commissioners of Barnes County does hereby amend and re-adopt the Barnes County Development Code with all revisions.

By:  
Mike Metcalf, Chairman

ATTEST:  
By:  
Beth Didier, County Auditor

Cindy Schwehr moved to approve the Resolution, as presented, and to send notice of the new permit requirements and fines out to all taxpayers by postcard; Bill Carlblom seconded the motion. Motion carried upon roll-call vote, with all members voting “yes”.

**Sheriff – Bid Opening**

Bids for two vehicles to be ordered in 2017 for purchase in the 2018 budget year were opened from Miller Motors, Puklich Chevrolet, and Stoudt Ross Ford. Sheriff Randy McClafin will review the options and return to the Commission with a recommendation for approval.

**Social Services – Life Insurance / County Burials**

Wanda Larson, Social Services Director, informed the Commission that life insurance is available through North Dakota Public Employees Retirement System at a minimal cost.

**Resolution 2017-5 to Enroll in the NDPERS Group Life Insurance Plan**

A motion was made by John Froelich for Barnes County to affirm to North Dakota Public Employees Retirement System that Barnes County is formed pursuant to North Dakota Constitution Article 7 § 3 and North Dakota

Century Code § 11-01 and is neither a non-profit nor a for-profit corporation, to join the NDPERS Life Insurance Plan and offer the plan to all eligible employees of Barnes County. The motion was seconded by Cindy Schwehr. The Board approved joining the NDPERS Life Insurance Plan effective March 1, 2018. Motion carried upon roll-call vote, with all members voting "yes".

By:  
Mike Metcalf, Chairman

ATTEST:  
By:  
Beth Didier, County Auditor

Motion carried upon roll-call vote, with all members voting "yes".

Ms. Larson informed the Commission that the funds in the County Burial line item have been used up for 2017, and any additional county burials will have to be paid out of the General Assistance line item.

#### **Estate of Orve R Thornburg – Crawford County IL Mineral Rights**

Carl Martineck, State's Attorney, appeared before the Commission to discuss correspondence received requesting that the County give up mineral rights in Illinois. The Commission informed Mr. Martineck to respond that the County intends to retain these mineral rights.

#### **Highway Department – Dreis' Bridge Contract**

Bill Carlblom made a motion to allow Kerry Johnson to sign any contracts, documents, or change orders necessary for the Dreis' Bridge project; Rodger Berntson seconded the motion. Motion carried upon roll-call vote, with all members voting "yes". The erosion control project on the Kathryn Road has been completed and turned out well. Kerry Johnson, Highway Superintendent, presented the Contract for the Hobart Lake Grade Raise for approval. Rodger Berntson moved to approve the contract with Kadmas, Lee & Jackson at a cost of \$56,800 for the project engineering; Bill Carlblom seconded the motion. Motion carried upon roll-call vote, with all members voting "yes".

#### **Auditor – Minutes / HR Resource / EAP Contract Renewal**

Bill Carlblom moved to approve the October 17, 2017 minutes; John Froelich seconded the motion. Motion carried. Beth Didier, Auditor, requested permission to renew the HR subscription for up to three years, in order to take advantage of \$518 to \$971.25 in savings over the next three years. Cindy Schwehr moved to approve a three-year renewal; Bill Carlblom seconded the motion. Motion carried upon roll-call vote, with all members voting "yes". Cindy Schwehr moved to approve renewal of the contract with The Village for Employee Assistance Program services at a cost of \$3,090; Bill Carlblom seconded the motion. Motion carried upon roll-call vote, with all members voting "yes".

#### **Commission Discussion**

The Commission discussed the South Central Dakota Regional Council dues structure. The Township Officer's Association meeting is November 16, 2017. Tax Deed sale is coming up November 21<sup>st</sup>.

#### **Bills Approved for October 2017**

General Fund: Ace Hardware \$48.51, Aflac \$2,073.51, Aflac Group Insurance \$48.45, Anderson, Brock \$73.61, Atlas Building Maintenance Inc \$597.48, Barnes Co Recorders Office \$7.00, Bek Communications Cooperative \$162.68, Bitz Tire & Service, Inc. \$740.00, Bong's Bootery \$129.90, Bredahl & Associates P.C. \$1,449.00, Bridges Car Wash \$56.00, Cable Services \$73.40, Cardmember Service \$4,088.48, Carlblom, William \$74.37, Cass Clay Creamery, Inc. \$917.83, Cass County Electric \$72.06, Cass County Government \$434.00, Cdw Government, Inc. \$34.00, Central Business Systems \$631.50, Centurylink Az \$108.96, Centurylink Wa \$860.33, Charm-Tex Inc \$179.09, Chs Dakota Plains Ag \$31.94, City County Health District \$769.50, Cna Surety \$50.00, Cole Papers Inc. \$576.50, Colonial Life Insurance \$494.31, Columbus Bank And Trust \$1,395.50, Comfort Inn - Bismarck \$245.70, Computer Professionals Unlimited \$1,976.43, Creative Product Source Inc \$385.09, Dacotah Bank \$632.44, Dacotah Paper Co. \$188.95, Dakota Central Telecommunications \$21.00, Dakota Industrial Supply \$257.25, Delta Dental Of Minnesota \$4,053.37, Dickey Rural Telephone Coop. \$231.00, Enterprise Sales Co. \$3,670.31, Farm & Home Publishers \$2,350.00, Food Services Of America/Fargo \$4,044.62, Forsman, Julie \$150.00, Froelich, John J \$48.15, G&K Services \$412.05, Galls Incorporated \$181.91, Handy Hardware & Rental \$128.57, Hansen-Leier, Stacie \$146.59, Hi-Line Investments \$500.00, High Plains Water Treatment, Inc. \$15.00, Holo, Ashley \$42.10, Information Technology Department \$1,340.00, Ingstad Family Media \$395.00, Inter-Community Telephone \$150.00, James-Valley Reg. Lodge #4 \$22.00, Kadmas, Lee & Jackson, Inc.-Bisma \$1,936.63, Lloyd, Susan \$34.24, Loibl, Steve \$87.50, Lyon, Sharon L \$394.79, Marco \$4,098.75, Marco Inc - Dallas \$779.92, Martineck, Carl \$728.32, Metcalf, Vicki Zinck \$21.00, Miller Motors Inc \$11.66, Mindt, Julie \$63.13, Montana-Dakota Utilities \$328.62, National Association Of Counties \$450.00, Nd Association Of Counties \$2,383.37, Nd Chapter Of Apco \$270.00, Nd State Radio Communications \$1,080.00, Nd-Pers \$26,840.92, Ndaao \$400.00, Ndpers \$45,199.61, Ndpers-Deferred Comp A02 \$2,160.00, Ness, Stepahnie \$25.00, Neuberger, Holly \$974.85, P.O.S.T. Board \$45.00, Paradigm Reporting & Captioning \$277.50, Petro Serve Usa \$2,517.63, Pharmchem Inc \$200.00, Pioneer Products Inc \$385.63, Pitney Bowes Inc \$403.70, Professional Dispatch Management 9 \$590.00, Puklich Chevrolet Buick Gmc \$68.86, Ramkota Hotel - Bismarck \$953.30, Record Keepers, Llc \$32.00, Redwood Toxicology Laboratory Inc \$165.73, Redwood Toxicology Laboratory, Inc \$165.73, Reserve Account \$5,000.00,

Sand, Patrick \$25.00, Sanford Health Occupation Medicine \$344.00, Schwehr, Cindy L \$80.25, Servicemaster Of Valley City \$180.00, Shopko Stores Operating Co Llc \$11.97, Stoudt-Ross Ford, Inc. \$159.23, Superior Vision Services Inc \$598.00, The Attic \$1,448.00, Thiel, Jason \$93.76, Thomson Reuters -West \$116.07, Thrifty White Stores \$178.18, Ultramax Ammunition \$758.00, Us Bank Equipment Finance \$451.05, Valley City Public Library \$35.45, Valley City Public Works \$2,503.85, Valley City Times-Record \$1,523.62, Valley Extinguisher \$928.25, Valley Officeworks \$868.65, Vault1440 Llc \$5,600.00, Verizon Wireless \$852.45, Wagon Wheel Inn Ltd \$1,890.00, Wells Fargo Bank \$516.58, Zuercher Technologies Llc \$3,412.50, Total For Fund \$159,413.69, City County Health: Aflac \$967.86, Aflac Group Insurance \$117.05, Bakkegard & Schell \$127.50, Bear, Kristen \$20.87, Beyer, Katie \$41.95, Bjornson, Shirley \$273.00, Bostrom, Kay \$186.00, Buhr, Sharon \$568.35, Butler Machinery Co. \$768.00, Cardmember Service \$2,786.20, Central Avenue Pharmacy \$8.45, Centurylink Az \$26.77, Citizenobserver, Llc \$7,200.00, City County Health District \$642.50, Clemo, Lisbeth \$300.00, Cole Papers Inc. \$161.00, Columbus Bank And Trust \$533.32, Dakota Plains Coop \$147.40, Dash Medical Gloves, Inc. \$46.90, Delta Dental Of Minnesota \$994.16, Dex Media East Llc \$30.50, Edward Jones - (Kevin) \$100.00, First Community Credit Union -Vc \$5,979.49, Garrahy, Teresa \$67.23, Glaxosmithkline Pharm \$7,332.07, Ingstad Family Media \$175.00, Koepplin, Bobby \$233.73, Langland, Tamara \$118.77, Leever's Foods \$14.13, Mercy Hospital - Valley City \$13.50, Montana-Dakota Utilities \$80.32, Moore Medical, Llc \$425.21, Nd-Pers \$7,927.08, Ndpers \$9,963.52, Ndpers-Deferred Comp 992 \$2,442.00, Ndpha/Car Seats \$125.00, Oien, Diane \$269.50, Physio-Control, Inc. \$600.00, Radisson Hotel-Bismarck \$81.90, Ryan, Eileen \$45.48, Sanford Health Healthcare Accessor \$826.54, Sanford Health Occupation Medicine \$86.00, Sanofi Pasteur, Inc. \$3,826.42, Servicemaster Of Valley City \$1,075.00, Superior Vision Services Inc \$120.60, Thielges Therapy Inc \$4,691.00, Thompson, Laurel \$14.47, Thrifty White Stores \$23.76, Tobacco Free North Dakota \$1,000.00, Valley City Area Chamber Of Commer \$230.00, Valley City Park District \$319.50, Valley City Public Works \$931.03, Valley City Times-Record \$370.80, Valley Officeworks \$417.52, Viland, Beth \$243.94, Will, Theresa \$2,707.35, Winter, Andrea \$56.30, Total For Fund \$68,881.94, Veterans Service Office: Aflac \$244.53, Centurylink Az \$8.84, Columbus Bank And Trust \$100.00, Delta Dental Of Minnesota \$242.50, Miller Motors Inc \$481.37, Nd-Pers \$877.21, Ndpers \$1,542.40, Ndpers-Deferred Comp A02 \$100.00, Petro Serve Usa \$290.00, Superior Vision Services Inc \$28.90, Valley Officeworks \$37.44, Verizon Wireless \$63.50, Wendel Auto Body \$418.59, Total For Fund \$4,435.28, Social Services: Aflac \$1,176.17, Aflac Group Insurance \$17.25, Barnes Co Housing Authority \$300.00, Barnes Co Social Services \$100.00, Brothers Iii \$214.39, Cardmember Service \$3,117.52, Centurylink Az \$71.74, Colonial Life Insurance \$38.94, Columbus Bank And Trust \$435.00, Delta Dental Of Minnesota \$1,780.77, Dorton, Hanna M \$30.00, Dorton, Hayden S \$30.00, Golden Valley/Billings Social Serv \$40.00, Grant County \$143.50, Killeen, Caitlin \$272.50, Morse, Stephanie \$360.50, National Enterprise Systems \$357.00, Nd Dept Of Human Services \$331.00, Nd Eligibility Workers Assn \$45.00, Nd-Pers \$10,829.97, Ndpers \$18,855.82, Ndpers-Deferred Comp A02 \$682.00, North Dakota United \$44.67, Puklich Chevrolet Buick Gmc \$506.11, Sanford Health Occupation Medicine \$344.00, Shopko Stores Operating Co Llc \$22.46, Superior Vision Services Inc \$270.40, Valley City Public Works \$351.46, Valley Officeworks \$32.43, Verizon Wireless \$314.06, Total For Fund \$41,114.66, County Road And Bridge: Acme Tools \$1,049.00, Aflac \$835.69, Aflac Group Insurance \$132.70, Berts Truck Equipment \$514.96, Bitz Tire & Service, Inc. \$159.71, Butler Machinery Co. \$786.05, Centurylink Az \$20.77, Centurylink Wa \$47.21, Chs Dakota Plains Ag \$1,711.53, Colonial Life Insurance \$115.49, Columbus Bank And Trust \$657.00, Delta Dental Of Minnesota \$509.16, Dickey Rural Telephone Coop. \$85.01, Grotberg Electric, Inc. \$292.50, Handy Hardware & Rental \$51.73, Inland Truck Parts & Service \$1,702.05, Inter-Community Telephone \$78.77, Johnson, Kerry \$144.45, Kris Engineering Inc \$24,142.00, Leever's Foods \$23.96, Menards \$23.26, Montana-Dakota Utilities \$58.79, Nd Ltap \$25.00, Nd-Pers \$9,846.97, Ndpers \$17,073.50, Ndpers-Deferred Comp A02 \$2,000.00, Ndsu - Ugpti \$300.00, O'reilly Auto Parts \$471.58, Ottetail Power Company - Jamestown \$89.22, Powerplan Oib \$733.94, R & H Maintenance & Lawn Care \$640.00, Ramkota Hotel - Bismarck \$334.80, S&S Auto Electric \$3.99, Sanford Health Occupation Medicine \$129.00, Schaefer Vermeer Equipment \$140.60, Smith, Jamie L. \$153.01, Stutsman County Road Department \$1,200.00, Superior Vision Services Inc \$34.20, Swanston Equipment Co. \$394.42, The Window Man \$190.00, Truenorth Steel \$18,848.51, Us Bank Equipment Finance \$313.32, Valley Auto Parts \$738.39, Valley City Public Works \$670.54, Valley Plains Equipment \$370.81, Verizon Wireless \$145.33, Vining Oil Company \$2,595.43, Wallwork Truck Center \$128.47, Total For Fund \$90,712.82, County Park: Aflac \$60.19, Anderson, Bev J \$92.43, Barnes Rural Water \$728.00, Bitz Tire & Service, Inc. \$110.28, Blair's Auto Body Llc \$294.40, Cass County Electric \$835.96, Dickey Rural Telephone Coop. \$144.79, Fraedrich Transport Llc \$188.00, Handy Hardware & Rental \$15.65, Ihli's Repair & Hardware \$7.90, Leever's Foods \$26.93, Legge's Portable Milling \$350.00, Lyons Enterprises Llc \$36.00, Nd-Pers \$457.34, North Country Trail Assn Inc \$6,714.00, Pine Country Nursery \$315.00, Sanford Health Occupation Medicine \$43.00, Smith Farm & Home \$46.25, Smith Lumber Company \$13.95, Vining Oil Company \$682.47, Total For Fund \$11,162.54, Weed Control: Aflac \$130.13, Crop Production Services \$47,367.00, Handy Hardware & Rental \$5.98, Nd-Pers \$603.86, Ndpers \$638.38, Sanford Health Occupation Medicine \$43.00, Stoudt-Ross Ford, Inc. \$58.38, Valley City Public Works \$42.99, Verizon Wireless \$120.03, Windish, Jamen \$50.00, Total For Fund \$49,059.75, County Agent: Central Business Systems \$532.87, Centurylink Az \$20.80, Grueneich, Randy \$500.48, Nd-Pers \$516.58, Ndaaea \$85.00, Ndpers \$638.38, Ndpers-Deferred Comp A02 \$70.00, Quill \$391.62, Tichy, Amy J \$77.40, Valley Officeworks \$268.46, Total For Fund \$3,101.59, B.C. Emergency Hcpra: Barnes County Ambulance \$1,729.14, Total For Fund \$1,729.14, Farm To Market 15 Mill: Border States Paving, Inc. \$1,639.55, Hubert Oye & Sons, Inc. \$13,902.90, Kadrmars, Lee & Jackson, Inc.-Bisma \$6,109.98, North Dakota One Call \$6.00, Ottetail Power Company - Jamestown \$43.01, Star Enterprises, Inc \$356.54, Swanston Equipment Co. \$13,910.84, Total For Fund \$35,968.82, B.C. Economic Dev Fund: Vc-Bc Development Corporation \$150,000.00, Total For Fund \$150,000.00, County Bridge: Kadrmars, Lee & Jackson, Inc.-Bisma \$6,000.00, Total For Fund \$6,000.00, County Agent Revolving: Leever's Foods \$4.58, Total For Fund \$4.58, Community Service: Columbus Bank And Trust \$20.00, Information Technology Department \$5.00, Nd-Pers \$83.01, Ndpers-Deferred Comp A02 \$25.00, Sanford Health Occupation Medicine \$43.00, Verizon

Wireless \$53.61, Total For Fund \$229.62, Grants And Projects: Blackmore, Mindy \$50.00, Centurylink Az \$5.97, Demester, Ahna \$165.00, Goerke, Rachel \$165.00, Hugo's \$388.44, Johnson, Mary J \$30.00, Leever's Foods \$19.31, Marquart, Jennifer \$175.00, Pautz, Heather \$337.50, Richter-Kappenman, Katey \$550.00, Total For Fund \$1,886.22, Victim Reparation Fund: Kamstra, Melissa \$158.02, Total For Fund \$158.02, Corrections Commissary Fu: Bernatello's Pizza Inc \$212.50, Reliance Telephone Systems, Inc. \$700.00, Total For Fund \$912.50, Special Reserves: Everson, Kelly \$150.00, Total For Fund \$150.00, Soil Conservation: Barnes Co Soil Conserv. Dist. \$391.60, Total For Fund \$391.60, Stewart Drain: Larson Helicopters \$2,880.00, Total For Fund \$2,880.00, Garrison Conservancy Dist: Garrison Diversion Cons Dist \$391.93, Total For Fund \$391.93, Airport: Barnes Co Municipal Airport \$881.15, Total For Fund \$881.15, State Funds: Nd State Treasurer \$9,124.43, Total For Fund \$9,124.43, Winter Show: Nd Winter Show \$80.57, Total For Fund \$80.57, Older Persons: South Central Adult Services \$783.58, Total For Fund \$783.58, Ambulance: Barnes County Ambulance \$391.58, Total For Fund \$391.58, Water Resources: Centurylink Az \$1.22, Columbus Bank And Trust \$50.00, Hieb, Jerry \$66.88, Jorissen, Dale \$6.42, Moore Engineering, Inc \$1,719.50, Nd-Pers \$223.37, Ndpers-Deferred Comp A02 \$25.00, Ohnstad Twichell, P.C. \$8,928.13, Valley City Times-Record Aud L000 \$248.88, Total For Fund \$11,269.40, Historical Society: Barnes Co Historical Society \$293.93, Total For Fund \$293.93, Library: Valley City Public Library \$568.32, Total For Fund \$568.32, Records Preservation Fu: Central Business Systems \$59.10, Pfaff, Jody \$323.32, Ramkota Hotel - Bismarck \$167.40, Valley Officeworks \$33.98, Total For Fund \$583.80, Cities: Dazey \$1,441.94, Fingal \$1,661.51, Kathryn \$788.86, Leal \$223.56, Litchville \$257.28, Oriska \$160.05, Sanborn \$817.47, Sibley \$1,018.40, Valley City \$20,190.59, Wimbledon \$473.91, Total For Fund \$27,033.57, Townships: Alta \$304.50, Anderson \$34.54, Ashtabula \$295.94, Binghampton \$113.40, Cuba \$2.48, Eckelson \$6.21, Edna \$485.76, Getchell \$307.78, Grand \$36.58, Hobart \$278.87, Mansfield \$207.81, Marsh \$19.16, Minnie \$83.81, Nelson \$127.40, Oriska \$10.54, Potter \$89.37, Raritan \$79.67, Rosebud \$265.76, Sibley \$230.60, Spring \$22.43, Springvale \$290.94, Stewart \$101.83, Svea \$289.85, Uxbridge \$349.62, Valley \$386.02, Weimer \$197.02, \$4,617.89, Park Districts: Fingal \$19.75, Kathryn \$22.91, Litchville \$16.12, Sanborn \$15.47, Valley City \$5,360.43, Total For Fund \$5,434.68, School Districts: Barnes County North \$8,166.77, Enderlin Area Sd 24 \$330.39, Litchville-Marion \$2,332.13, Maple Valley \$2,481.70, Montpelier \$68.78, Valley City \$21,105.65, \$34,485.42, Rural Fire Districts: Dazey \$86.57, Edna \$120.38, Enderlin \$8.02, Fingal \$77.46, Kathryn \$41.40, Nome \$14.66, Page \$9.27, Sanborn \$197.58, Tower City \$15.72, Valley City Rural Fire Protection \$204.52, Wimbledon \$73.52, Total For Fund \$849.10, Thordenskjold Drain: Larson Helicopters \$1,110.00, Total For Fund \$1,110.00, Interest Fund: Barnes Co Treasurer \$4,013.24, Total For Fund \$4,013.24, Payroll Fund: Job Service North Dakota \$4,751.52, State Tax Commissioner \$9,667.50, Total For Fund \$14,419.02, Total Warrants \$744,524.38

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

Mike Metcalf, Chairman  
Barnes County Commission

Beth M Didier  
Barnes County Auditor