

The Barnes County Commission met in regular session on Tuesday, August 4, 2020 with Cindy Schwehr, Vicky Lovell, Bill Carlblom, John Froelich, and Shawn Olauson present. Chairman Carlblom called the meeting to order at 8:00 a.m., the Pledge of Allegiance was recited, and the Agenda was reviewed.

Planning & Zoning - Variance

Jessica Jenrich, Planning & Zoning Coordinator, presented an application for a Variance – Tile outlet crossing from Fred Schroeder (Weimer Township, 31-141-56). Bill Carlblom moved to approve the application; Shawn Olauson seconded the motion. Motion carried upon roll-call vote, with all members voting “yes”.

Highway Department –Approach Application / Project Updates

Mr. Johnson presented an Approach Application from Mark Berge at 14-138-60. Cindy Schwehr moved to approve the application; John Froelich seconded the motion. Motion carried upon roll-call vote, with all members voting “yes”.

Kerry Johnson, Highway Superintendent, presented project updates. Gowan Construction placed 450 yards of rip-rap on the east side of Barnes County 7 at Meadow Lake at a cost of \$19,890, in addition to the emergency work that was completed earlier this summer. Mr. Johnson estimates a possible over-run on materials on the Hobart Lake Safety Improvement project. An additional foot of rip-rap was added and approved by NDDOT. It is unlikely that the contractor will meet the August 15th completion date. Contractor is projected to install culverts later this week. Star Enterprises is installing (2) 84” culverts west of the City of Kathryn on Barnes County 21 (Kathryn Road). Estimated project completion date is August 10th. Barnes County #19 (River Road) was washed out due to a culvert failure. This project qualifies under the Federal Highway Disaster declaration as an ER site. A temporary 84” culvert will be installed to allow for the reopening of the road with 100% of the cost being reimbursed by Federal Highway. Under Federal Highway guidelines, engineering of a permanent repair will be completed over the winter with construction and installation of a box culvert in 2021 at an 80/20 cost share. Mr. Johnson estimates this project to cost approximately \$100,000. Bids are due August 5th. Cindy Schwehr moved to approve and allow the Highway Department to award to the lowest responsible bid; Vicky Lovell seconded the motion. Motion carried upon roll-call vote, with all members voting “yes”. Subsurface Inc. was hired to line & grout (2) 48” culverts on Barnes County 19 (Katie Olson’s). Subsurface Inc. also filled a void on Barnes County 21 (Bayshore) with nearly 210 gallons of grout. Mr. Johnson & Kadrmaz, Lee & Jackson are working with the NDDOT to get both sites approved under the Federal Highway declaration. Barnes County 21 (Kathryn Road) Erosion site temporary bypass has been completed and permanent work will begin upon US Army Corps 404 permit approval, possibly in time for a November bid opening. Geotechnical monitoring continues on Barnes County 21 (Kathryn Road) hill slide. Project design will be completed this winter and construction of a permanent repair will begin next year. Emergency grade raise on Barnes County 11 is complete. Permanent repair and raise scheduled for 2021. Aztec will be chip sealing Barnes County 4 beginning August 17th. County forces successfully completed a chip & fog seal on Barnes County 27 (Peak Road). Mr. Johnson reported that he is very pleased and that the county crew did a phenomenal job. He expressed appreciation to both the Barnes County Weed Control and Barnes County Emergency Management staff for their assistance with the project. County crews have now resumed graveling and culvert repairs. County forces will also be completing a repair to a Cattle pass south of the City of Kathryn. Mr. Johnson does not expect this to require closure of the road. Staff continue to monitor a 60” culvert near the riverbank erosion site on Barnes County 21 (Kathryn Road). Discussion was held regarding Highway Superintendent compensation.

Updated Bond Resolution

Bill Carlblom moved to approve the updated Bond Resolution 2020-4; Shawn Olauson seconded the motion. Motion carried upon roll-call vote, with all members voting “yes”.

RESOLUTION #2020-4 RELATING TO LEASE-PURCHASE FINANCING OF COUNTY JAIL

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

SECTION 1. AUTHORIZATION. 1.1. Authorization. The County is authorized by Section 11-11-14 of the North Dakota Century Code, to enter into a lease-purchase agreement for the purpose of financing the acquisition, construction, and equipping of a new County jail (the “Project”). It is hereby found, determined and declared to be necessary and desirable and in the best interest of the County to begin preliminary proceedings to finance the Project by entering into a lease-purchase agreement and to create certificates of participation (the “Certificates”) therein. 1.2. Financing and Sale. The County hereby engages Colliers Securities LLC as the underwriter with respect to the financing of the Project. The County hereby engages Arntson Stewart Wegner PC as bond counsel for the financing. 1.3. Financing Documents. The County authorizes Colliers Securities LLC and Arntson Stewart Wegner PC to complete the proceedings necessary for the sale and issuance of the Certificates. The County Auditor is authorized and directed to review and approve on behalf of the County an official statement to be distributed to potential purchasers of the Certificates. Provided, the lease-purchase agreement and related documents, and the issuance of the Certificates, including terms of sale, are subject to approval by the Board of County Commissioners at a subsequent meeting.

SECTION 2. REIMBURSEMENT. 2.1. Recitals. (a) The Internal Revenue Service has issued Section 1.150-2 of the Income Tax Regulations (the "Reimbursement Regulations") dealing with the issuance of bonds all or a portion of the proceeds of which are to be used to reimburse the County for expenditures made prior to the date of issuance of such bonds. (b) The Reimbursement Regulations generally require that the County make a declaration of its official intent to reimburse itself for such prior expenditures out of the proceeds of a subsequently issued series of bonds within 60 days after payment of the expenditures, that the bonds be issued and the reimbursement allocation be made from the proceeds of such bonds within the reimbursement period (as defined in the Reimbursement Regulations), and that the expenditures reimbursed be capital expenditures or costs of issuance of the bonds. (c) The County desires to comply with requirements of the Reimbursement Regulations with respect to the Project and the proceeds of the Certificates. 2.2. Official Intent Declaration. (a) The County proposes to undertake the Project and to make original expenditures with respect thereto prior to the issuance of the Certificates (reimbursement bonds within the meaning of the Reimbursement Regulations), and reasonably expects to issue the Certificates (reimbursement bonds) for the Project, in one or more series, in a maximum principal amount of \$16,500,000. (b) Other than (i) de minimis amounts permitted to be reimbursed pursuant to Section 1.150-2(f)(1) of the Reimbursement Regulations or (ii) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Reimbursement Regulations, the County will not seek reimbursement for any original expenditures with respect to the Project paid more than 60 days prior to the date of adoption of this resolution. All original expenditures for which reimbursement is sought will be capital expenditures or costs of issuance of the Certificates. 2.3. Budgetary Matters. As of the date hereof, there are no County funds reserved, pledged, allocated on a long term basis or otherwise set aside (or reasonably expected to be reserved, pledged, allocated on a long term basis or otherwise set aside) to provide permanent financing for the original expenditures related to the Project, other than pursuant to the issuance of the Certificates (reimbursement bonds). Consequently, it is not expected that the issuance of the Certificates (reimbursement bonds) will result in the creation of any replacement proceeds. 2.4. Reimbursement Allocations. The County shall be responsible for making the "reimbursement allocations" described in the Reimbursement Regulations, being generally the transfer of the appropriate amount of proceeds of the Certificates (reimbursement bonds) to reimburse the source of temporary financing used by the County to make payment of the original expenditures relating to the Project. Each reimbursement allocation shall be made within 30 days of the date of issuance of the Certificates (reimbursement bonds), shall be evidenced by an entry on the official books and records of the County maintained for the Certificates (reimbursement bonds) and shall specifically identify the original expenditures being reimbursed.

Dated August 4, 2020.

BARNES COUNTY, NORTH DAKOTA
Chairman, Board of County Commissioners

Attest:
County Auditor

The governing body of the County acted on the foregoing resolution at a properly noticed meeting held in Valley City, North Dakota, on August 4, 2020, with the motion for adoption made by Bill Carlbom and seconded by Shawn Olauson and the roll call vote on the motion was as follows:

"Aye" – Bill Carlbom, John Froelich, Shawn Olauson, Cindy Schwehr, and Vicky Lovell

"Nay" – None.

Absent – None.

Auditor – Minutes

Shawn Olauson moved to approve the July 21, 2020 minutes; Vicky Lovell seconded the motion. Motion carried.

Commission Discussion

The Barnes County Museum is still closed. Social Services is still working remotely, for the most part. City-County Health has another drive-through COVID-19 testing scheduled. The 10-Mile Lake outlet meeting was very productive. State Equalization is coming up on August 11th. The Library has partially opened. Concrete work on the terrace has been completed.

Budget Discussion

The Commission discussed budget options and agreed to set the preliminary 2021 County budget for publication and the estimated tax statements at 115 mills. The 2021 budget hearing will be held on September 15, 2020 at 6:00 p.m. in the Barnes County Commission chambers.

Bills Approved for July 2020

General Fund: Ace Hardware \$60.50, Aflac \$2,394.85, Aflac Group Insurance \$48.45, Andrew S Marquart \$198.00, Bakkegard & Schell \$1,051.40, Barnes Co Ambulance Mandan \$1,033.63, Bek Communications Cooperative \$10.00, Berger Auto & Diesel Repair \$386.14, Bitz Tire & Service, Inc. \$27.91, Blair's Auto Body Llc \$2,623.69, Bridges Car Wash \$26.00, Btn Constuction \$18,689.00, Cable Services \$92.20, Cardmember Service \$11,001.94, Cash-Wa Distributing Co Of Fargo L \$3,259.12, Cass County Electric \$1,404.19, Central Business Systems \$832.20, Centurylink Az \$1,268.25, Charm-Tex Inc \$255.54, Chs Dakota Plains Ag \$165.61, Cintas Corporation \$188.28, City County Health District \$1,550.41, Coast To Coast Solutions \$281.48, Cole Papers Inc. \$362.13, Colonial Life Insurance \$305.53, Columbus Bank And Trust \$2,120.50, Computer Information Systems

Inc \$7,208.75, Counties Providing Technology \$1,976.53, D & B Portables Llc \$270.00, Dacotah Bank \$651.48, Dacotah Paper Co. \$341.24, Dakota Central Telecommunications \$21.00, Dakota Industrial Supply \$73.00, Delta Dental Of Minnesota \$2,433.58, Dickey Rural Telephone Coop. \$387.00, Election Systems & Software \$14,306.40, Electro Watchman, Inc. \$13,518.72, Enger, Lacey \$48.00, First International Insurance \$8,605.54, Fraedrich Transport Llc \$720.00, Galls Incorporated \$161.81, Gustafson, Lynn \$25.00, Handy Hardware & Rental \$553.20, Harold J. Rotunda, Cpa \$4,300.00, High Plains Water Treatment, Inc. \$30.00, Information Technology Department \$4,446.81, Ingram, Brendan \$30.00, Inter-Community Telephone \$150.00, James-Valley Reg. Lodge #4 \$28.00, Jenrich, Jessica \$44.08, Koepplin, Bobby \$35.96, Kohn Electric \$96.26, Leaf \$213.33, Leever's Foods South \$45.99, Legge's Portable Milling \$1,600.00, Liberty Business Systems, Inc \$105.65, Litchville Bulletin \$110.40, Main Street Detailing & Towing \$65.00, Marco Inc - St Louis \$529.33, Mercy Hospital - Valley City \$7,758.18, Mid-States Wireless, Inc. \$3,057.00, Midwest Pest Control \$110.00, Montana-Dakota Utilities \$332.14, Municipay Llc \$680.00, Nd Attorney General \$1,565.00, Nd State Radio Communications \$1,080.00, Neuberger, Holly \$31.35, O'reilly Auto Parts \$29.96, P.O.S.T. Board \$95.00, Petro Serve Usa \$2,659.52, Pharmchem Inc \$57.10, Puklich Chevrolet Buick Gmc \$96.95, Record Keepers, Llc \$81.00, Rj's Plumbing & Heating \$309.64, Rough Rider Industries \$90.52, S&S Auto Electric \$501.69, Sanford Health Occupation Medicine \$48.00, Seachange Printing & Marketing Svs \$35.65, Servicemaster Of Valley City \$385.00, State Disbursement Unit - North Da \$719.00, Stoudt-Ross Ford, Inc. \$96.83, Streicher's \$340.91, Stutsman County Correctional Center \$3,220.00, Superior Vision Services Inc \$661.70, Synchrony Bank\Amazon \$470.47, Thiel, Jason \$41.63, Thomson Reuters -West \$266.75, Thrifty White Stores \$127.66, Titan Data Safe Llc \$4,447.75, Urban Couture \$109.98, Us Bank Equipment Finance \$413.74, Valley City Police Department \$864.00, Valley City Public Works \$2,653.13, Valley City Times-Record \$2,464.45, Valley Officeworks \$693.70, Vanguard Appraisals Inc \$7,600.00, Vault1440 Llc \$390.00, Verizon Wireless \$1,696.06, Vining Oil & Gas Llc \$1,066.42, Wagon Wheel Inn Ltd \$3,780.00, Wells Fargo Bank \$532.45, Total For Fund \$164,429.34, **City County Health:** Aed Everywhere \$627.35, Aflac \$1,203.78, Aflac Group Insurance \$85.85, Bakkegard & Schell \$308.55, Bitz Tire & Service, Inc. \$174.48, Bjornson, Shirley \$67.98, Brenna Winter \$800.00, Cardmember Service \$9,041.22, Central Business Systems \$379.31, Central Valley Health District \$1,112.44, Centurylink Az \$108.59, Chs Dakota Plains Ag \$36.10, City County Health District \$2,526.00, Cole Papers Inc. \$245.93, Columbus Bank And Trust \$876.00, Dash Medical Gloves, Inc. \$50.90, Delta Dental Of Minnesota \$862.41, Dex Media East Llc \$33.00, Dickey County Health District \$800.00, Due, Kerry \$31.63, Edward Jones - (Kevin) \$100.00, First Community Credit Union -Vc \$5,979.49, First International Insurance \$1,031.77, F5 Project \$9,080.00, Glaxosmithkline Pharm \$3,025.20, Handy Hardware & Rental \$7.96, Healthcare Environmental Services \$305.00, I3g Media \$2,800.00, Koepplin, Bobby \$12.65, Lamoure County Health Department \$300.00, Langeland, Tamara \$58.66, Leaf \$88.16, Leever's Foods \$11.11, McIntosh District Health Unit \$250.00, McKesson Medical-Surgical Mn Suppl \$1,900.83, Mclean, Delmere \$1,352.00, Merck Sharp & Dohme Corp \$4,347.63, Montana-Dakota Utilities \$116.58, Municipay Llc \$170.00, Newman Outdoor Advertising - Jmst \$2,640.00, Oien, Diane \$79.31, Otis Elevator Company \$5,600.00, Quadmed, Inc. \$246.00, Riverside Gardens \$23.17, Ryan, Eileen \$49.45, Schumacher, Kami \$78.36, Stryker Corporation \$703.87, Superior Vision Services Inc \$230.60, Swiontek, Dale \$70.00, Thielges Therapy Inc \$1,905.00, Upper Missouri District Health Unit \$3,373.00, Valley City Public Works \$921.11, Valley City Times-Record \$425.00, Valley Officeworks \$399.33, Wagon Wheel Inn Ltd \$495.00, Wells County District Health Unit \$25.00, Will, Theresa \$256.75, Winter, Andrea \$259.00, Total For Fund \$68,088.51, **Veterans Service Office:** Centurylink Az \$16.53, Delta Dental Of Minnesota \$127.31, Petro Serve Usa \$250.19, Superior Vision Services Inc \$28.90, Verizon Wireless \$117.64, Total For Fund \$540.57, **County Road And Bridge:** A P Equipment Inc \$103.90, Acquisign Llc \$500.00, Aflac \$856.11, Aflac Group Insurance \$78.85, Butler Machinery Co. \$732.65, Centurylink Az \$91.81, Chs Dakota Plains Ag \$14,639.73, Colonial Life Insurance \$94.34, Columbus Bank And Trust \$666.00, Dakotaland Autoglass Inc \$84.15, Deere Credit, Inc \$4,997.50, Delta Dental Of Minnesota \$429.26, Dickey Rural Telephone Coop. \$89.08, First International Insurance \$1,120.69, Handy Hardware & Rental \$19.93, Inland Truck Parts & Service \$235.46, Law Office Of Daniel H Oster \$536.00, Liberty Business Systems, Inc \$9.08, Lycox Enterprises, Inc \$72.80, Montana-Dakota Utilities \$72.15, Moritz, Dennis \$90.00, Municipay Llc \$170.00, O'reilly Auto Parts \$27.48, Ok Automotive Wd \$150.00, Open Door Center \$69.00, Ottetail Power Company - Jamestown \$147.55, Praxair Distribution Inc \$114.37, R & H Maintenance & Lawn Care \$640.00, Sanford Health Occupation Medicine \$96.00, State Disbursement Unit - North Da \$1,125.80, Superior Vision Services Inc \$57.50, Swanston Equipment Co. \$56.51, The Window Man \$85.00, Truenorth Steel \$15,409.50, Valley Auto Parts \$1,286.55, Valley City Public Works \$726.25, Valley Officeworks \$66.92, Verizon Wireless \$99.01, Vining Oil & Gas Llc \$2,473.92, Wallwork Truck Center \$629.86, Total For Fund \$48,950.71, **Weed Control:** Aflac \$149.93, Barnes Co Highway Dept \$1,462.62, Bayshore City Side \$220.84, Bitz Tire & Service, Inc. \$19.91, Cardmember Service \$6.95, Chs Dakota Plains Ag \$15.99, Fei Inc \$54.36, FIS Manufacturing Inc \$242.06, Handy Hardware & Rental \$388.43, Nutrien Ag Solutions Inc \$13,296.00, Valley Auto Parts \$45.16, Valley City Public Works \$101.20, Verizon Wireless \$160.04, Windish, Jamen \$50.00, Total For Fund \$16,213.49, **County Agent:** Centurylink Az \$17.81, Grueneich, Randy \$50.00, Jacobson, Tammy J. \$100.00, Milender, Sue \$239.75, Total For Fund \$407.56, **Farm To Market 15 Mill:** Border States Paving, Inc. \$115,319.14, Braun Intertec Corporation \$1,732.50, Hubert Oye & Sons, Inc. \$10,000.00, Kadmas, Lee & Jackson, Inc.-Bisma \$23,317.38, Nd Dept Of Transportation \$8,990.76, Ottetail Power Company - Jamestown \$72.23, Total For Fund \$159,432.01, **B.C. Economic Dev Fund:** Vc-Bc Development Corporation \$5,000.00, Total For Fund \$5,000.00, **Community Service:** Verizon Wireless \$54.66, Total For Fund \$54.66, **Loosestrife Weed:** Larson Helicopters \$495.00, Total For Fund \$495.00, **Grants And Projects:** Barnes Co Extension Service \$200.00, Centurylink Az \$8.59, Incredible Years Inc \$448.50, Total For Fund \$657.09, **Special Reserves:** Anderson, Mark \$140.00, Total For Fund \$140.00, **Soil Conservation:** Barnes Co Soil Conserv. Dist. \$143.20, Total For Fund \$143.20, **Flood Emergency 2011:** Binghampton Township \$650.76,

Nelson Township \$1,996.65, Reid, Ken \$132.82, Total For Fund \$2,780.23, **Stewart Drain:** Larson Helicopters \$3,114.40, Total For Fund \$3,114.40, **Garrison Conservancy Dist:** Garrison Diversion Cons Dist \$131.43, Total For Fund \$131.43, **Airport:** Barnes Co Municipal Airport \$244.28, Total For Fund \$244.28, **State Funds:** Nd State Treasurer \$2,297.69, Total For Fund \$2,297.69, **Older Persons:** South Central Adult Services \$262.41, Total For Fund \$262.41, **Ambulance:** Barnes County Ambulance \$131.02, Total For Fund \$131.02, **Water Resources:** Aflac \$36.75, Anderson, Bruce \$109.83, Centurylink Az \$1.19, Columbus Bank And Trust \$50.00, Hieb, Jerry \$9.20, Industrial Builders Inc \$52,202.50, Minnesota Valley Testing Laborator \$2,769.60, Ohnstad Twichell, P.C. \$6,046.20, Postmaster \$55.00, Star Enterprises, Inc \$821.51, Total For Fund \$62,101.78, **Historical Society:** Barnes Co Historical Society \$98.48, Total For Fund \$98.48, **Library:** Valley City Public Library \$242.19, Total For Fund \$242.19, **Recorders Preservation Fu:** Valley Officeworks \$1,152.83, Total For Fund \$1,152.83, **Cities:** Dazey \$628.65, Fingal \$314.91, Kathryn \$625.77, Litchville \$2,485.18, Nome \$636.51, Oriska \$141.37, Pillsbury \$13.23, Sanborn \$241.63, Sibley \$261.45, Valley City \$3,636.65, Wimbledon \$19.01, Total For Fund \$9,004.36, **Townships:** Anderson \$60.42, Ashtabula \$8,957.69, Baldwin \$1,010.96, Binghampton \$85.68, Getchell \$2,609.09, Grand \$47.00, Green \$112.18, Greenland \$1,336.55, Marsh \$10.26, Meadow \$3.52, Rogers \$12.30, Rosebud \$53.77, Sibley \$4,964.26, Valley \$14.66, \$19,278.34, **Park Districts:** Fingal \$1.74, Kathryn \$15.00, Litchville \$137.66, Nome \$24.00, Sanborn \$5.51, Valley City \$894.89, Total For Fund \$1,078.80, **School Districts:** Barnes County North \$1,080.35, Enderlin Area Sd 24 \$498.99, Hope 1 \$7.97, Litchville-Marion \$4,539.70, Maple Valley \$866.48, Valley City \$3,560.32, \$10,553.81, **Rural Fire Districts:** Dazey \$20.13, Fingal \$24.16, Hope \$.45, Kathryn \$25.03, Nome \$30.51, Sanborn \$31.13, Valley City Rural Fire Protection \$31.54, Wimbledon \$.85, Total For Fund \$163.80, **Thordenskjold Drain:** Postmaster \$55.00, Stewart Drain li \$208.47, Total For Fund \$263.47, **Interest Fund:** Barnes Co Treasurer \$4,614.88, Total For Fund \$4,614.88, **Payroll Fund:** State Tax Commissioner \$10,091.50, Total For Fund \$10,091.50, Total Warrants \$592,157.84

With no further business, Shawn Olauson made a motion, seconded by John Froelich, to adjourn the meeting. Motion carried unanimously, and the meeting was adjourned at 10:53 a.m.

Bill Carlblom, Chairman
Barnes County Commission

Beth M Didier
Barnes County Auditor