

The Barnes County Commission met in regular session on Tuesday, June 20, 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 - Variances

Jessica Jenrich, Planning & Zoning Coordinator, presented an application for a Variance – trees 120' from center of County Road #21 - from Neil Pederson (Marsh Township, Lot 1&2 Riverbend View Subdivision in 9-139-58). Rodger Berntson moved to approve the application; Bill Carlblom seconded the motion. Motion carried upon roll-call vote, with John Froelich voting "no". Ms. Jenrich presented an application for a Variance – Structure Setback of 35' - from Lawrence Zich (Sibley Trail Township, Lot 11 Block 2 Watchacallit Subdivision Sections 12&13-143-58). John Froelich moved to deny the application; Bill Carlblom seconded the motion. Motion carried upon roll-call vote, with all members voting "yes".

Building & Grounds – Roof Flashing

Rodger Berntson moved to approve a quote from Enterprise in the amount of \$3,670.30 for roof flashing on the Courthouse; Bill Carlblom seconded the motion. Motion carried upon roll-call vote, with all members voting "yes".

Brager Disposal – Overweight Limits

Jeremy Zaun, Brager Disposal, appeared before the Commission and requested that they consider the possibility of an overweight permit for garbage trucks during road restriction season. Mike Metcalf will visit with the State's Attorney and Road Superintendent and have them work together to develop a permit to address the issue.

Highway Department – Approach Application / Project Updates

Kerry Johnson, Road Superintendent, presented an Approach Application from Jack Bruns for an approach in 6-140-57. Cindy Schwehr moved to approve the Application; Rodger Berntson seconded the motion. Motion carried upon roll-call vote, with all members voting "yes". Shawn Mayfield, Kadrmas, Lee & Jackson, informed the Commission that the application for a safety project for a Hobart Lake grade raise was awarded for work in 2020. The project is a \$1.6 million project with a 90/10 split for a 2 ½' grade raise. The bridge work will be completed at the Faust Dam Bridge next week; the road work will begin next week. The project is running about a month ahead of schedule.

Auditor – Minutes

Bill Carlblom moved to approve the June 6, 2017 minutes; John Froelich seconded the motion. Motion carried.

Board Appointments

John Froelich moved to approve the July 1, 2017 Board Appointments, as presented: School Annexation (District 1) – Mike Schwehr, and Social Service Board – Pat Hansen; Bill Carlblom seconded the motion. Motion carried upon roll-call vote, with all members voting "yes". The openings on the School Annexation committee (District 5) and the School Tuition committee will be advertised again.

Development Corporation Request

Jennifer Feist, Valley City – Barnes County Development Corporation Director of Development, requested release of the \$27,000 for 2017 administrative support/services. Cindy Schwehr moved to approve the request; John Froelich seconded the motion. Motion carried upon roll-call vote, with Rodger Berntson voting "no".

Hobart Lake Project Amendment

Cindy Schwehr moved to sign Amendment No. 5 to the Hazard Mitigation Grant Program Subgrant Agreement for FEMA-DR-1981 Between the ND Department of Emergency Services and Barnes County; John Froelich seconded the motion. Motion carried upon roll-call vote, with all members voting "yes".

Weed Control– 2018 Township Spraying

Jamen Windish, Weed Control Officer, asked for some direction as to how to proceed in budgeting for township spraying and services for 2018. The County is responsible for weed control in township rights-of-way; farmers planting within the right-of-way do so at their own risk.

State's Attorney – Victim Fees

Carl Martineck, State's Attorney, presented the following resolution for approval:

BARNES COUNTY COMMISSION
RESOLUTION 2017-2

A RESOLUTION FOR IMPOSITION OF VICTIM FEES IN ALL LAW VIOLATIONS THAT HAVE IMPRISONMENT
AS A PENALTY:

WHEREAS, The 2017 North Dakota Legislature recently passed and the Governor signed HB 1003; and WHEREAS,

HB 1003 contained a requirement that cities and counties help fund improvements to 1) a private, nonprofit domestic violence or sexual assault program; 2) a victim and witness advocacy program of which the primary function is to provide direct services to victims of and witnesses to crime; and/or 3) the statewide automated victim information and notification system (SAVIN), as provided for under chapter 12.1 - 34; and WHEREAS, HB 1003 amended N.D.C.C. §27-01-10 to require the governing body of a county to pass a resolution authorizing district court judges to impose a fee of not more than \$25 on ALL crimes which have imprisonment as a possible consequence; and WHEREAS, HB 1003 is set to become effective July 1, 2017.

NOW, THEREFORE, be it ordained by the Board of Commissioners of the County of Barnes, is hereby passed this 20th day of June, 2017, a resolution requesting the district court judges to impose a \$25 victim fee on all crimes where imprisonment is a possibility and regardless of whether imprisonment is imposed or not, to be collected and distributed to the county to be used for victim services improvements, specifically the Abused Persons Outreach Center (APOC), Valley City.

ATTEST:
Beth M Didier
Barnes County Auditor

APPROVED:
Mike Metcalf, Chair
Board of Commissioners
County of Barnes

(SEAL)

Cindy Schwehr moved to approve the Resolution; John Froelich seconded the motion. Motion carried upon roll-call vote, with all members voting "yes".

Commission Discussion

Mike Metcalf provided an update on South Central Dakota Regional Council. Sheriff Randy McClafin visited with the Commission regarding jail replacement options. There will be a special meeting for Hobart Lake at 9:00 a.m. on June 28, 2017; right-of-way issues will be addressed. The next meeting is Monday, July 3, 2017 at 8:00 a.m.

John Froelich made a motion to write a letter to the North Dakota congressional delegation stating that the Barnes County Commission opposes any sale or privatization of WAPA, as it will likely increase electrical costs; Bill Carlblom seconded the motion. Motion carried upon roll-call vote, with all members voting "yes".

City-County Health District Director Theresa Will asked for a letter of support for the idea of accessing the Substance Abuse Recovery Grant. Cindy Schwehr moved to sign a letter of support; Bill Carlblom seconded the motion. Motion carried upon roll-call vote, with all members voting "yes".

John Froelich made a motion to move the pop machines at a cost of \$1,114.92; Bill Carlblom seconded the motion. Motion carried upon roll-call vote, with all members voting "yes".

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