

The Barnes County Commission met in regular session on Tuesday October 16, 2012 with all members present.

Barnes County Rescue Squad

Scott Magnuson, VCFD/BCRS, presented information on new equipment the Rescue Squad is in need of purchasing. Current equipment is in need of being updated. The rescue squad responds to approximately 30 rescue calls a year with 5-8 of those calls being in the City and the rest in the County. The City of Valley City has budgeted a third of the expense of the new equipment. Commissioner Berntson wondered if there were federal funds available to assist as many of the rescue calls are on I-94. Commissioner Knutson made a motion, seconded by Commissioner Froelich, to transfer \$22,360 from the general fund to help purchase new equipment for the Rescue Squad. Motion carried unanimously.

Planning and Zoning

Betty Koslofsky, Planning & Zoning, requested a conditional use permit for James Hare to change 13.38 acres in 32-142-62 from agricultural to residential contingent on approval of the township officers. Commissioner Leitner made a motion, seconded by Commissioner Knutson, to approve the conditional use permit contingent on the signature by township officers. Motion carried unanimously.

Koslofsky requested a conditional use permit for Kory Sorby to change 5 acres in 33-139-58 from agricultural to residential for purposes of moving a storage building onto the property. Commissioner Froelich made a motion, seconded by Commissioner Knutson, to approve the conditional use permit. Motion carried unanimously.

Koslofsky requested a conditional use permit and variance for Dennis Roberg to be able to remove dead trees and replace them on 5 acres in 33-139-58. The trees have been there for years and the first row is 22' off the section line. Commissioner Froelich made a motion, seconded by Commissioner Leitner, to deny the conditional use permit and variance. The dead trees will have to be removed but new ones cannot be planted closer than 33' from the section line. Motion carried unanimously.

Koslofsky requested an auditor's lot of 100.95 acres in 02-138-59 for Curtis Kvilvang. He is selling the farmstead and land, but usage will remain the same. Commissioner Berntson made a motion, seconded by Commissioner Leitner, to approve the auditor's lot. Motion carried unanimously.

There was discussion regarding an Anhydrous Ammonia variance for Dakota Plains. The platform is only 60-70' off the road and they need to go through the proper process to get it approved. It will be going to the Planning and Zoning hearing on November 8th.

Letters are being sent out this week on FEMA & NFIP regulations regarding fill on floodways.

Bob Eggert's term on the Planning and Zoning board expires in December. He does not want to remain on the board.

Auditor's Office

Julie Mindt, Interim Auditor, and Zebulon Dickey, Colonial Life, asked if the Commission had any questions regarding the benefits package Colonial Life presented at a prior meeting and if there was interest in offering benefits to employees. Mindt said that it would be mandatory for employees to meet with a representative if the County looks at

adding Colonial Life to their benefits package. Commissioner Berntson was hesitant to make it mandatory. Chairperson Schwehr stated that it shouldn't be made mandatory for employees to meet with an AFLAC representative, but not a Colonial Life representative. The Commission requested Mindt and Dickey to schedule time to present Colonial Life information to employees. Benefits enrollment is in November and employees will need to sign something if they aren't interested in benefits. They will work out a schedule with department heads.

FEMA Property Lease Bids

The annual fee needs to be paid by October 15th annually or the contract will be null and void. The Eckelson, Baldwin and Meadow Lake Township properties have never been leased and the Marsh and Nelson Township properties are newly acquired.

Eckelson Township property, 14-140-61, SE ¼, lots 6 & 7. No interest.

Eckelson Township property, 14-140-61, SE ¼, W ½ lot 14 and all of lots 15 & 16. No interest.

Eckelson Township property, 14-140-61, SE ¼, lot 21. No interest.

Eckelson Township property, 14-140-61, SE ¼, W 75' x 49.5' x 82' lot 22. No interest.

Marsh Township property, 27-139-58, SW ¼, 6.25 acres. No interest.

Nelson Township property, 22-138-58, NE ¼, 5.75 acres with .39 ac right-of-way. Bid received from Dan Fairfield of \$50. No other interests. Declared leased to Dan Fairfield for 5 years starting October 16, 2012.

Baldwin Township property, 21-143-57, SW ¼, .24 acres. No interest.

Meadow Lake Township property, 23-138-61, E ½ NE ¼, .10 acres. No interest.

State Fair Delegates

Commissioner Froelich made a motion, seconded by Commissioner Berntson, to appoint Dawn Riley and Tim Ost as ND State Fair Board delegates. Motion carried unanimously. Information will be forwarded to State Fair Board.

Water Board

The Commission received applications for the open Water Board position from Ken Evenson, Shawn Wittenberg and Terence Brock. Commissioner Knutson made a motion, seconded by Commissioner Froelich, to appoint Ken Evenson to the Water Board. Motion carried unanimously.

CCHD Carry-Over Funds

Teresa Will, CCHD, requested clarification on the amount of carry-over funds that the Commission would like to see in the CCHD cash reserve. In 2004, CCHD ended \$48,000 negative. Harold Rotunda, CPA, advised CCHD that 50% of the budget is a good amount to keep in reserve. CCHD expected a \$30,000 cut in budget, but not the \$60,000 cut they received. Commissioner Berntson agreed the County could make a loan from the general fund if CCHD requires it. The Commission was concerned about having a high dollar amount in reserve and feels \$500,000 should be enough to have in reserve.

Emergency Manager

Kim Franklin, Emergency Manager, presented information on the Regional Hazard Mitigation Plan. The state will put in for the plan for this region and send out a letter of support. Commissioner Froehlich made a motion, seconded by Commissioner Knutson, to enter into the South East Regional Multi-Jurisdictional Multi-Hazard Mitigation Plan. Motion carried unanimously.

Franklin reported that there is \$5201 in funds from the '97 flood buyout program. The funds can be used for anything administrative and doesn't have to be flood related. The Lake Aggasiz Regional Council wants Barnes County to take responsibility for the account that the funds are in and the Commission needs to decide what to spend the funds on.

Franklin gave updates on the tower issue. The Sheriff's department put in for \$21,000 for a repeater. The site by Ashtabula doesn't make it far enough to Wimbledon. They are looking at the Wimbledon and Litchville water towers to see what the coverage would be like. It's preferable to have the repeater on an existing structure. A new tower would be \$180,000 and would be 200' tall, giving a lot of coverage. Midstates in Fargo is providing coverage maps.

Franklin reported on FEMA buyout property cleanup. The Dan Fairfield property is done but the Berg place has a lot of junk on it yet. The contractor advised it isn't their responsibility to clean junk. The county will have to find someone to get scrap metal off the property.

The new door for the Emergency Manager's office will be measured Thursday, October 18th.

Auditor Search Committee

The Committee consists of Phil Leitner, John Froehlich, Lee Grossman, Betty Koslofsky and Vicki Zinck. The initial meeting was October 5th. On October 11th, candidates were selected to interview. Interviews will be done October 24. The Committee will present its recommendation to the Commission at the November 6th meeting. The new Auditor could be serving the 1st part of December. If they don't currently live in Barnes County, they would need to get residency first. Candidates being interviewed for the position are Theresa Garrahy, Cheryl Sorby, Gary Jacobson, Julie Mindt, Beth Didier, Joe Secora, and Jerry Cavanaugh.

Commission Discussion

Beth Bakke has the list of delinquent taxes ready and will email them to the Commission on Friday. Commissioner Leitner will follow up on timelines.

The Commission clarified County policy that comp time must be used before vacation time. Some employees have been submitting vacation time before using earned comp time for vacation. Comp must be depleted before vacation time can be used.

Several county boards have terms expiring this year. Ads will be run in the paper requesting applications for open board positions and applications will be taken until the 19th of November. The Commission will act on appointments at the December 4th meeting.

911 Contract

Commissioner Knutson presented an updated contract for NDACo (North Dakota Association of Counties) that redefines what Barnes County pays into them for support. It was recommended that the Commission enter into the contract with NDACo. Commissioner Froehlich made a motion, seconded by Commissioner Berntson, to sign a Joint Powers Agreement for purchasing resolution and acknowledgement with NDACo for Next Generation 911. Motion carried unanimously.

Commissioner Leitner said he received a call from Greg Herndon of CenturyLink to be able to set up time to talk to the Commission regarding CenturyLink.

Jason Thiel, MIS, recommended that the County put equipment purchases on hold. The state is working on a joint plan and current equipment is obsolete. It will most likely be a year before a plan for the entire state is put together. Commissioner Froehlich said the state will get the County up to speed on NG911. They are planning on two large servers. Commissioner Froehlich wants to see what the cost would be for the County to stand on its own should the servers both go down as it's impossible to make an informed decision without the dollar amounts. Commissioner Knutson said the state is looking for two different sites for location of the servers that will keep them safe from water and other hazards. There won't be any dollar amounts for comparison until the State has everything together.

There was discussion on the 911 contract between the County and City of Valley City. The original recommendation was for a split of 1 ¼ County, 2 ¼ City and 2 ½ 911 Fund. At that rate, the 911 Fund would be spending more money than it takes in. The City says they will pay for a cost share of 2, and in that case Barnes County would cover 1 with the remaining 3 shares picked up by the 911 fund. It is roughly a \$120,000 expense from the 911 Fund. The current cost share is Barnes County 2, City of Valley City 2 ½, 911 Fund 1 ½. Dave Schelkopf, City Administrator, said that the City was willing to go with a cost share of 2. Commissioner Knutson wanted to see how things go for a year and review at that time. If the City is at a maximum cost share of 2, the County should be at a maximum cost share of 1 with the remaining 3 coming from the 911 fund. Commissioner Knutson made a motion, seconded by Commissioner Froelich, to set the cost share plan as Barnes County 1, City of Valley City 2 and 911 Fund 3 for one year beginning January 1, 2013. Motion carried unanimously.

Commissioner Knutson brought forth discussion on a new 911 contract with the City of Valley City. Commissioner Knutson recommended that the dispatchers become Barnes County employees as it gives the County authority over the dispatchers. Knutson also recommended that a new position be created to have a GIS/911 Supervisor that will be overseen by the Emergency Manager. The location of dispatch was also discussed with a recommendation to put them in the back of the Law Enforcement Center with Emergency Manager as temporary overseer of operations. The Emergency Manager should be located in the LEC and work Monday through Friday, 9 to 5. Commissioner Froelich questioned the need for the County to run dispatch when Fred Thompson, Chief of Police, is fully qualified to oversee operations and has volunteered to do so at no cost. Froelich recommended having the Police Department continue with mapping and overseeing day to day operations and questioned why the County would choose to create a new position, at tax-payer expense, that is not necessary. Commissioner Knutson explained that the County is the entity audited for the financial end and compliance, which is why the County should have control. Commissioner Leitner stated that he was opposed to Knutson's proposal. Leitner was concerned that the City may choose not to partner with the County and could kick the Sheriff's Department out of the LEC so the City could run things their way. Leitner recommended allowing Police Chief Fred Thompson to continue to oversee operations at no cost to the County. Chairperson Schwehr recommended having operating procedures and job descriptions in place if the County takes over control of dispatch. Schwehr also expressed concerns over having a County GIS/911 Coordinator overseeing dispatch if the City is still overseeing operations in the event the County takes over control.

Commissioner Froehlich made a motion, seconded by Commissioner Leitner, to enter into a new one year contract with the City of Valley City with the City running 911 and Chief Thompson being responsible for overseeing dispatch and mapping. After discussion, a roll call vote was taken with Commissioners Leitner and Froehlich voting "yes", and Berntson, Knutson and Schwehr voting "no". Motion failed.

Commissioner Knutson made a motion, seconded by Commissioner Berntson, to renew the 911 contract with the City of Valley City for one year with a cost share of County 1, City 2, 911 Fund 3 and also have all dispatchers become County employees effective January 1, 2013. Froehlich requested clarification of who would be the coordinator and where they would be located. Knutson said Kim Franklin, Emergency Manager, would be the temporary coordinator. Chairperson Schwehr stated that neither department head, Police Chief Thompson nor Sheriff McClafliin, should be in charge of dispatch. Knutson recommended that lines of authority be drawn up. After

discussion, a roll call vote was taken with Commissioners Knutson, Berntson and Chairperson Schwehr voting “yes”, Froelich and Leitner voting “no”. Motion carried.

Dave Schelkopf, City Administrator, advised that he will be preparing the 911 department for the switchover. Schelkopf also expressed disappointment at the vote and had concerns about the cost for the City and County, but stated the City would work together with the County on the transition.

Fred Thompson advised that he was currently taking applications to fill a dispatch position, but would cease doing so and will let the County take over the hiring process for the open position. Commissioner Knutson stated that he would like to replace any dispatchers that have resigned to make the transition smoother.

With no further business, Commissioner Leitner made a motion, seconded by Commissioner Froelich, to adjourn the meeting. Motion carried unanimously.

Julie Mindt
Interim - Barnes County Auditor

Cindy Schwehr, Chairperson
Barnes County Commission