

GRAND FORKS COUNTY COMMISSION MEETING

March 7, 2006 – 3:30 P.M.

The Board met pursuant to adjournment with Commissioners Kvasager, Yahna, Triplett Malm and Murphy present. Commissioner Triplett was attending the National Association of Counties Legislative Conference in Washington D.C. and participated via telephone.

Moved by Malm, seconded by Yahna, to approve the minutes of the February 21, 2006 meeting. Motion carried.

Moved by Murphy, seconded by Malm, to approve the order of agenda. Motion carried.

Moved by Yahna, seconded by Malm, to approve the consent agenda. Items in the consent agenda include an employee status changes for Michael L Hjelmeland and Patrick S. Rosenquist, bills as submitted by the County Auditor, Check #113138 thru Check #113274 in the amount of \$389,718.22, approval of overtime, approval of the Forest Stewardship Tax Law Application for Howard Drewlo on pt. of section 2, 151-54, Veterans Service Office Report and the GF Sheriff's Department Transport Statistics for February 2006. Motion carried.

Judge Braaten, Presiding Judge of District Court, addressed the board regarding the current usage of the existing Interactive Television (ITV) system in the Grand Forks County Courthouse and adding an additional ITV system in Magistrate Vigeland's Courtroom. She stated that Judge Medd is the Chair of a local committee that is working on setting up policies and procedures on how to schedule these Courtrooms and how to schedule the ITV's. She stated that usage of the existing ITV system has been minimal because the policy and procedures have not been set up yet and people have not been informed that we have this capability but she anticipates that usage will increase tremendously. Magistrate Vigeland's Courtroom will be used primarily for the in-custody appearances and the other Courtroom will be used for the mental health cases, commitment of sexual dangerous persons and civil proceedings. Chairman Kvasager asked Sheriff Hill how this would impact the Sheriff's Department. Sheriff Hill stated that they do at least two trips a week to Jamestown and it would be quite a savings to the County if the trips did not have to be made. Judge Braaten indicated that the ITV was to be installed in Magistrate Vigeland's Courtroom to begin with but it was changed at the last minute because of problems with the sound system. Commissioner Triplett asked if the problems with the sound system in Magistrate Vigeland's Courtroom have been corrected. Dean Dahl, Information System Director, stated that the sound system upgrade is included in the price of the ITV system. Judge Medd was asked for his opinion regarding the ITV usage. He stated that he believes that all Courtrooms will have ITV's in the future and all of the Judges are on board with using the ITV's.

Judge Braaten, Presiding Judge of District Court, also addressed the board regarding staffing issues with the Public Administrator.

Wayne Westlund, Public Administrator, addressed the board.

Moved by Triplett, seconded by Malm, to allow the Finance and Tax Office to offer clerical help to the Public Administrator for a period of 30 days and after that the Finance and Tax Director will report back on the amount of time being allocated. Motion carried.

Brain Purcell, Building and Grounds Supervisor, addressed the board.

Moved by Malm, seconded by Yahna, to approve the change orders on the new Correctional Center for a second chiller pump in the mechanical room at a cost of \$13,258 and \$7,091 for lights to be installed above the concrete lids of the cells for maintenance access. Motion carried.

Willie Huot, NDSU Extension, addressed the board regarding Annie's Project, which is a program for farm wives who want to be more active in the family farm operation. He requested that the County Finance and Tax Office manage the grant funds for this project. The Finance and Tax Office will deposit these funds and cut checks, as necessary. No administration fee will be charged by the County for this service. Commissioner Malm requested that Peter Welte and Debbie Nelson review the grant agreement. Willie agreed. He also reported that 6 applications had been received for the locks on privately owned anhydrous tanks. He stated that one more reminder will go out regarding the anhydrous locks before the April 1st deadline.

Leroy Sletten, Hegton Township Assessor and Zoning Board Member addressed the board regarding assessments and zoning issues in Hegton Township.

Richard Onstad, County Highway Superintendent, addressed the board.

Moved by Murphy, seconded by Yahna, to accept the low bid from RDO Mack Co. of \$255,442.00 on two new Mack tandem axle trucks, with dump box and snow removal equipment, Model No. CV713, which equals or exceeds all the specifications, outlined in the bidders instructions. Motion carried. Bids were opened at the February 21, 2006 Commission Meeting.

At 4:30pm, the Chairman opened the public hearing for the Special Olympics MIDA Bonds. No one from the public appeared. The hearing was closed.

Jim Stewart, Arntson & Stewart, P.C., addressed the board.

Moved by Malm, seconded by Murphy, to approve the resolution to authorize the issuance of \$320,000 North Dakota Mortgage Revenue Bonds for the Special Olympics North Dakota Project. Motion carried. A copy of the resolution is on file at the County Finance and Tax Office. The bonds will be subject to a fee of 1% of total issuance, with a maximum of \$10,000.

Moved by Malm, seconded by Yahna, to give preliminary approval for MIDA bonds for the Northlands Rescue Mission, Inc. Project, subject to a public hearing on April 4, 2006. Motion carried.

Richard Onstad, County Highway Superintendent, addressed the board.

Moved by Murphy, seconded by Yahna, to authorize the Chair to sign a North Dakota Department of Transportation Construction and Maintenance Agreement on Project SC-1808(057) County Road from Gilby to Manvel. Motion carried.

Chairman Kvasager asked the Commissioners to rank their choices for the unexpired term on the Grand Forks County Water Board, first, second and third choice. Richard Axvig received all five first choice votes.

Moved by Murphy, seconded by Yahna, to appoint Richard Axvig to the unexpired term on the Grand Forks County Water Board. Term will expire December 31, 2007. Motion carried.

Robert Wood, Property and Records Director, addressed the board.

Moved by Triplett, seconded by Malm, to approve the Chair's signature on the Agreement for Performance of Assessing Duties with Blooming Township. Motion carried.

The Chair called a 5 minute recess.

The Chair called the meeting back to order.

Lane Magnuson, Planning and Zoning Director, addressed the board.

Moved by Malm, seconded by Yahna, to approve the Airport Estates plat, located in section 32, Rye Township, which meets the requirements of the A-1 Zoning District, the Grand Forks County Zoning Resolution, and the Grand Forks County Year 2015 Land Use Plan, with the following conditions:

1. The existing field access on the northeast corner of the property shall be only used for agricultural access for the existing farming operation on the subject property and the unplatted property to the north.
2. A special use permit be granted for a variance for a 15% reduction in lot width on the following lots:
 - Block 6
Lot 2 Lot 3 Lot 12
3. A special use permit be granted for a variance for a 15% reduction in lot size on the following lots:
 - Block 1
Lot 1 Lot 2 Lot 3
 - Block 2
Lot 1

4. The applicant shall submit to the Planning Department copies of the maintenance agreements for the roads and stormwater facilities prior to the Planning Department signing off on the plat.
5. The applicant shall submit to the planning staff signed copies of the deed declaration and avigation easement as proposed by staff, disclosing the plat's proximity to the airport prior to the Planning Department signing off on the plat.
6. The following note shall be removed from the plat prior to the Planning Department signing off on the plat:
 - Access to Lots 4 and 5, Block 6 shall be a single access point off of the county road along the east side of Section 32.
7. The Grand Forks County Planning Department receives from the developer a bond or letter of credit in the amount of \$165,000 dollars as a financial guarantee for road construction and implementation of the drainage plan. Motion carried.

Moved by Murphy, seconded by Malm, to approve the Special Use Permit request by Donald Dubuque for a 15% reduction in lot width on Lots 2, 3 and 12 of Block 6, Airport Estates and a variance for a 15% reduction in lot size on Lots 1, 2, and 3 of Block 1, and Lot 1 of Block 2, Airport Estates. Motion carried.

Motion by Yahna, seconded by Malm, to approve Cariveau Estates plat, located in section 2, Allendale Township, which meets the requirements of the Zone 3 - Agriculture Zoning District, The Grand Forks County Zoning Resolution, and the Grand Forks County Year 2015 Land Use Plan, with the following conditions:

1. The existing field accesses on the northeast and southwest corners of the property shall be removed prior to any access permits being used for the property.
2. A special use permit be granted for a variance for a 15% reduction in lot width on the following lots:

<u>Block 1</u>	<u>Block 4</u>
Lot 1, Lot 2, Lot 3, Lot 4	Lot 2, Lot 4
3. The applicant shall submit to the Planning Department copies of the maintenance agreements for the roads and stormwater facilities prior to the Planning Department signing off on the plat.
4. The Grand Forks County Planning Department receives from the developer a bond or letter of credit in the amount of \$77,000 dollars as a financial guarantee for road construction and implementation of the drainage plan. Motion carried.

Moved by Malm, seconded by Murphy, to approve the Special Use Permit request by Gerald Pribula, on behalf of Beverly Cariveau, for a variance for a 15% reduction in lot width on the following lots: Block 1, Lot 1-4 and Block 4, Lot 2 and 4. Motion carried.

Moved by Murphy, seconded by Yahna, to approve the plat of Brenna Subdivision in section 27, Brenna Township. Motion carried.

Moved by Malm, seconded by Murphy, to give final approval of the Grand Forks County 2035 Land Use Plan. Motion carried with Murphy, Malm and Yahna voting aye and Triplett and Kvasager voting nay.

No election supply bids were received.

Moved by Murphy, seconded by Malm, to authorize the Finance and Tax Director to purchase election supplies. Motion carried.

Peter Welte, States Attorney, gave the States Attorney's Report. Items in the report included that the County prevailed in the litigation on the contract issue on the new Correctional Center. Also they are working on options for possibly housing State prisoners. He stated that one day last week the States Attorney's Office had 21 new felony methamphetamine related charges and one or two of those charges are a AA felony, punishable by life in prison. He commented on Dale Rivard's work with Planning and Zoning. He said they are still struggling with staffing issues in the States Attorney's Office because of case loads. He reported on a letter from the Attorney General's Office that he just received. The letter was in response to a request for an interpretation on the constitutionality of the statute for expanding the four mile extraterritorial jurisdiction. The Attorney General's letter stated that it is against their policy to respond to constitutionality questions because they feel it is a matter for the Courts to decide. Mr. Welte will contact the landowners who had contacted his office and let them know that they always have the civil courts available to them. The Storslee Law Firm, P.C. letter was discussed regarding the Notice of Mediation in regard to the City of Grand Forks Annexation Dispute. Peter Welte thanked the board for approving his out-of-state travel for his trip to Chandler, Arizona for the Experienced Prosecutor Course.

Ken Vein, Garrison Diversion Director, addressed the board regarding the Red River Water Supply Project.

Moved by Murphy, seconded by Yahna, to appoint Commissioner Malm to the Grand Forks/East Grand Forks Metropolitan Planning Organization Executive Policy Board. Motion carried.

Moved by Malm, seconded by Yahna, to appoint the following Election Inspectors; Gladys Sommerfield, Sherryl Weisenberger and Keith Hill. Motion carried.

Moved by Triplett, seconded by Malm, to accept the proposal from C.D.I. Inc. to fabricate and install countertops in the Election Room and allow up to an additional \$1,500 to be added to the \$2,000 that was approved at the last meeting, to be paid from Capital Improvements. Motion carried.

Dean Dahl, Information System Director, addressed the board.

Moved by Malm, seconded by Murphy, to authorize the purchase of five new computers, four for the Sheriff's Department and one for a new scanning station, to be paid from the Computer Department budget. Motion carried.

Richard Axvig, newly appointed Grand Forks County Water Resource Board member, thanked the Commissioners for their support of his application for the Grand Forks County Water Resource Board.

Moved by Yahna, seconded by Malm, to adjourn. The meeting adjourned at 6:08pm. The next meeting will be held on March 21, 2006.

Arvin Kvasager, Chairman
Grand Forks County Commission

Debbie Nelson, County Auditor