

GRAND FORKS COUNTY COMMISSION MEETING

June 16, 2009 – 4:00 P.M

The Board met pursuant to adjournment with Commissioners Murphy, Knauf, Malm, Schmisek and Pic present.

Moved by Malm, seconded by Schmisek, to approve the minutes of the June 2, 2009 meeting and the Grand Forks County Board of Equalization minutes of the June 2, 2009 meeting. Motion carried.

Moved by Pic, seconded by Knauf, to approve the order of the agenda removing item number 11, Anne Carlson Center and move Jim Campbell after item number 5. Motion carried.

Moved by Knauf, seconded by Pic, to approve the consent agenda. Items in the consent agenda included: bills as submitted by the County Auditor, Check# 140098-140147, 140276-140530 in the amount of \$510,007.58; employee status changes for Lisa Sidles, Lori A. Morgan, Ronald Madson and Dale Beine and the Grand Forks County Veterans Service Report. Motion carried.

Lane Magnuson, County Planner, addressed the board.

Moved by Malm, seconded by Pic, to approve an Interim Use Permit for Brandon and Lisa Smilonich to permit a temporary manufactured home in the SE ¼ of section 9, Union Township. The manufactured home will be removed from the property by July 1, 2010. Motion carried.

Moved by Schmisek, seconded by Malm, to approve the application of David Voorhees for a Variance to allow a residential structure to be placed 55' from centerline of a township road in the village of Arvilla. Motion carried.

Moved by Knauf, seconded by Schmisek, to amend the Future Land Use Map, as presented. Motion carried.

Moved by Malm, seconded by Pic, to approve the amendment to the Zoning Map, as presented. Motion carried.

Moved by Schmisek, seconded by Pic, to remove the moratorium placed on May 19, 2009 on all planning actions in the outer ½ mile of the Thompson City extraterritorial area and the outer 2 miles of the Grand Forks City extraterritorial area. Motion carried.

Moved by Pic, seconded by Knauf, to approve the Temporary Use Zoning amendment to add temporary asphalt mixing plants and temporary car crushing operations as interim uses in all zoning districts. Motion carried.

Mr. Magnuson said the Flood Plain Administrator would handle all FEMA residential buy-out applications. The Flood Plain Administrator would be the County unless the township does its own zoning. If the township does their own zoning they would be the Flood Plain Administrator. The township could relinquish all zoning authority back to the County if the township does not want to be the Flood Plain Administrator for the buy-out grants or they could retain their zoning authority and have a third party, such as Red River Regional Authority, act as the Flood Plain Administrator.

Frank Matejcek, 4150 Columbia Road N, said that Mr. Ray Morrell who is handling the FEMA funds for the State would not recognize the township as the Flood Plain Administrator and he has said it has to go through the County for the FEMA buy-outs.

Mr. Magnuson said townships are a recognized political subdivision and the State is obligated to deal with them. It would be an issue for the township and their legal council and the State FEMA Office.

Mr. Matejcek said if the townships could do it they would but they can't.

Peter Welte, States Attorney, said the County Commission has a policy that if a township wishes to do their own zoning that would include flood plain administration.

Jim Campbell, Emergency Management Director, addressed the board.

Karen Klava, Falconer Township, addressed the board.

Chairman Murphy asked Lane Magnuson, with the assistance of the States Attorney, to draft a letter to the State FEMA Office that states the County's position in regards to the responsibility of townships that have their own zoning authority. And, under North Dakota State law, townships are political subdivisions and the State has an obligation to deal with townships directly.

Mr. Matejcek was also encouraged to draft a letter to the State FEMA Office stating the township's concerns about being recognized as an eligible mitigation grant sponsor.

Jim Campbell, Emergency Management director, addressed the board.

Moved by Malm, seconded by Pic, to have Mr. Campbell notify the State Division of Emergency Services in writing that we have five residences in various political subdivisions in Grand Forks County that are interested in buy-outs. Motion carried.

Moved by Pic, seconded by Knauf, to adopt Resolution No. 06-16-09 Multi-Hazard Mitigation Plan and to authorize Chairman Murphy to sign. Motion carried.

Amber Vaughn, Tax Equalization Director, addressed the board.

Moved by Malm, seconded by Schmisek, to approve the abatement application for Mark Kuhn on parcel number 44-001175 and reduce the 2009 True and Full Value from \$8,798 to \$2,200. Motion carried.

Moved by Malm, seconded by Knauf, to deny the abatement application for Shawn and Ronna Schreiner on parcel number 17-5902-00003-000 on the 2006 True and Full Value. Motion carried.

Moved by Malm, to approve the abatement application for Greg and Colette Greek on parcel number 17-3204-00005-002 and reduce the 2007 True and Full Value from \$385,100 to \$305,000. Motion dies for lack of a second.

Moved by Schmisek, seconded by Pic, to approve the abatement application for Greg and Colette Greek on parcel number 17-3204-00005-002 and reduce the 2007 True and Full Value from \$385,100 to \$305,000. Motion carried.

Moved by Pic, seconded by Schmisek, to deny the abatement application for Craig Tweten on parcel number 17-5902-00004-000 on the 2006 True and Full Value. Motion carried.

Moved by Schmisek, seconded by Pic, to approve the abatement application for Jon and Laura Raymond on parcel number 17-5902-00007-000 and reduce the 2006 True and Full Value from \$576,800 to \$546,696. Motion carried.

Moved by Malm, seconded by Schmisek, to appoint Timothy Mutchler for a five year term to the Grand Forks Regional Airport Authority Board beginning July 1, 2009. Motion carried.

Bret Burkholder, Correctional Center Administrator, updated the board on the Federal Transport Team.

Moved by Schmisek, seconded by Pic, to approve Mr. Burkholder to attend Fire Arm Instructor Training in Devils Lake, July 13-17, 2009 at a cost of approximately \$1,000. Motion carried.

Mr. Burkholder presented a spreadsheet with the average daily population, monthly per diems and monthly per diem income at the Correctional Center for 2007, 2008 and 2009. He said there has been a decrease in the average daily population in the last four weeks.

Moved by Pic, seconded by Malm, to approve the move of a 1998 Chevrolet Tahoe from the Emergency Management Department to the Correctional Center. Motion carried.

Amber Vaughn, Tax Equalization Director, addressed the board regarding the New and Expanding Business Exemption for CBP Grand Forks LLC.

Terry Stromsodt, Rye Township Chairman, said that he had a meeting with Michael Huntress, Acquest Development, and Rye Township had a meeting last night to discuss the New and Expanding Business Exemption. Mr. Stromsodt said Rye Township's recommendation for the New and Expanding Business Exemption for CBP Grand Forks LLC would be to grant 100% exemption for the first two years, 50% for the next two years and 25% for the fifth and final year.

Ray Dohman spoke against granting the exemption.

Moved by Malm, seconded by Schmisek, to approve a New or Expanding Business Exemption for CBP Grand Forks, LLC for four years as follows: 80% for the first year, 60% for the second year, 40% for the third year and 20% for the fourth and final year, beginning in 2010. Motion carried.

Peter Welte, States Attorney, addressed the board.

Moved by Pic, seconded by Schmisek, to approve the Chair's signatures on the US Department of Energy Certifications Regarding Lobbying: Debarment, Suspension and Other Responsibility Matters: and Drug Free Workplace Requirements and the US Department of Energy Assurance of Compliance Nondiscrimination in Federally Assisted Programs. Motion carried.

Chairman Murphy said they will follow Commissioner Malm's recommendation to transfer the Weed Board's request regarding the Weed Board employees to Mr. Welte and Mr. Nierode, their recommendation will be heard at a future meeting.

Ed Nierode, Director of Administration, addressed the board.

Moved by Pic, seconded by Schmisek, to approve the pandemic planning and purchase cleaning supplies, a 25 day supply of face masks for law enforcement employees and a 15 day supply of face masks for all other County employees at a cost of approximately \$9,000 from County General Miscellaneous. Motion carried.

Haley Wamstad, President of the Employees Association, informed the board the Employees Association would recommend Live Well Solutions for the Employee Assistance Program.

Moved by Pic, seconded by Knauf, to approve a one year contract for the core Employee Assistance Program with Live Well Solutions effective July 1, 2009. Motion carried with Murphy, Knauf, Schmisek and Pic voting aye and Malm voting nay.

Moved by Pic, seconded by Knauf, to approve out-of-state travel for Commissioner Schmisek to attend the Annual Association of Defense Communities' Conference in Boston, MA, August 2-5, 2009 at an estimated cost of \$2,521.40 to be paid from the BRIC travel line item in the Commission budget. Motion carried.

Moved by Pic, seconded by Schmisek, to approve the Chair's signature on the Northeast Human Services Lease Amendment extending the lease term for 21 designated and 24 hour reserved parking spaces in the Grand Forks County Parking Ramp for the period of July 1, 2009 through June 30, 2011. Motion carried.

Moved by Schmisek, seconded by Pic, to approve the Chair's signature on an Interlocal Agreement between the City of Grand Forks and the County of Grand Forks for the 2009 Byrne Justice Assistance Grant Program. Motion carried.

Moved by Malm, seconded by Pic, to adjourn. The meeting adjourned at 5:55pm. The next meeting will be held on July 7, 2009.

William Murphy, Chairman
Grand Forks County Commission

Debbie Nelson, County Auditor