

GRAND FORKS COUNTY COMMISSION MEETING

July 7, 2009 – 4:00 P.M.

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

Moved by Malm, seconded by Schmisek, to approve the minutes of the June 16, 2009 meeting. Motion carried.

Moved by Pic, seconded by Knauf, to approve the order of agenda. Motion carried.

Moved by Schmisek, seconded by Pic, to approve the consent agenda. Items in the consent agenda included: bills as submitted by the County Auditor, Check #140531 – 140747 in the amount of \$658,089.80; employee status changes for Kyle Deziel, Brynne Love, Peggy Klockmann, Tanya Geir, Jenny LeTexier, Max Meyers, Suzanne Halverson and Kimberly Joy Anderson; overtime; approval of Pledges of Securities; bond to reissue check and Grand Forks Sheriff's Department Transport Statistics. Motion carried.

Jim Campbell, Emergency Management Director, addressed the board regarding concerns he has received from County residents regarding the County's policy to reimburse residents for sand used for flood protection but not reimburse for clay dikes or Hessco Barriers. Mr. Campbell presented a survey conduct by the Emergency Management Office of County residents that either constructed clay dikes or used Hessco Barriers.

Tom Hill, 4700 North Riverside Drive, addressed the board.

Terry Longtin, 4496 North Columbia Road, addressed the board.

Commissioner Schmisek asked what percentage FEMA would reimburse for the sand. Mr. Campbell said it is uncertain at this time. Commissioner Schmisek asked if FEMA would reimburse for clay. Mr. Campbell said they will not reimburse for clay or Hessco Barriers.

Moved by Malm, seconded by Schmisek, to reimburse County residents the approximate cost needed to build a dike of sandbags to a comparable height to the clay dike that was built or the Hessco Barriers used prior to April 1, 2009 and allow additional requests for reimbursement until August 10, 2009. The cost reimbursed can not be greater than the actual cost to construct the dike. Motion failed with Malm voting aye and Murphy, Knauf, Schmisek and Pic voting nay.

Moved by Pic, to reimburse County households that used clay dikes or Hessco Barriers to a maximum amount of \$3,000 for dikes that were built prior to April 1, 2009 and additional requests must be received within 30 days from today. The cost reimbursed can not be greater than the cost to construct the dike. Motion dies for a lack of a second.

Moved by Schmisek, to reimburse County residents the approximate cost needed to build a dike of sandbags to a comparable height to the clay dike that was built or the Hessco Barriers used prior to April 1, 2009 and allow additional requests for reimbursement until August 10, 2009. The reimbursement will be at the same percentage as the County's share after the FEMA reimbursement for sand. The cost reimbursed can not be greater than the actual cost to construct the dike. Motion dies for a lack of a second.

Terry Longtin said he feels they are being penalized if they are not going to be reimbursed the approximate cost of sandbags. If the County had the unlimited sand policy from the beginning he would not have used clay.

Moved by Malm, seconded by Pic, to reimburse County residents 50% of the approximate cost needed to build a dike of sandbags to a comparable height to the clay dike that was built or the Hessco Barriers used prior to April 1, 2009 and allow additional requests for reimbursement until August 10, 2009. The cost reimbursed can not exceed \$3,000. Motion failed with Murphy and Pic voting aye and Malm, Knauf and Schmisek voting nay.

Jim Campbell will be put on the agenda in another month to consider the reimbursement for clay dikes and Hessco Barriers. Mr. Campbell will contact FEMA to confirm the reimbursement percentage in writing for the additional loads of sand.

Ken Vein, Garrison Diversion Director, gave the board a brief update on some of the current issues of the Garrison Diversion Conservancy District. Mr. Vein will be put on the agenda in three months to provide additional information to the board.

Amber Vaughn, Tax Equalization Director, addressed the board.

Moved by Schmisek, seconded by Knauf, to approve the abatement applications for Deanna Asay on parcel number 44-0001-00046-000 and reduce the 2007 True and Full Value from \$106,000 to \$18,500 and the 2008 True and Full Value from \$108,300 to \$18,500. Motion carried.

The following individuals provided information to the board regarding the abatements filed for Grand Forks Home, Inc., Housing Authority of the City of Grand Forks, Terzetto Village and Westgate Village. The abatements were filed claiming the properties should be exempt from taxation.

Mel Carsen, Grand Forks City Assessor, addressed the board.

Russ Melland, Camrud, Maddock, Olson & Larson, Ltd., representing Grand Forks Home, Inc., Housing Authority of the City of Grand Forks, Terzetto Village and Westgate Village addressed the board. Mr. Melland requested that all information that he has provided would be part of the record.

John Warcup, Grand Forks City Assistant Attorney, addressed the board.

Moved by Malm, seconded by Schmisek, to deny the abatement applications for Grand Forks Homes, Inc. on the following parcels: 44-2808-00003-001, 44-2808-00001-000, 44-2808-00003-004, 44-3206-00058-003, 44-2312-00007-001, 44-2925-00002-000 and 44-1221-00003-000 for years 2006, 2007 and 2008. And to approve, in part, the abatement applications for Grand Forks Homes, Inc. on parcel number 44-3206-00058-003 and reduce the 2006 True and Full Value from \$1,630,200 to \$1,505,900, the 2007 True and Full Value from \$1,796,500 to \$1,660,700 and the 2008 True and Full Value from \$1,859,400 to \$1,718,800. And to approve the abatement application for Grand Forks Homes, Inc. on parcel number 44-2808-00003-003 and reduce the 2006 True and Full Value from \$138,400 to \$0 and the 2007 True and Full Value from \$137,500 to \$0. Motion carried.

Moved by Knauf, seconded by Malm, to deny the abatement applications for the Housing Authority of Grand Forks on the following parcels: 44-3203-00002-000 and 44-3203-00012-000 for years 2006 and 2007. Motion carried.

Moved by Schmisek, seconded by Pic, to deny the abatement applications for Terzetto Village, LLC on the following parcels: 44-2621-00051-000, 44-2621-00031-000, 44-2621-00050-000, 44-2621-00049-000, 44-2621-00048-000, 44-2621-00047-000, 44-2621-00027-000, 44-2621-00020-000, 44-2621-00019-000, 44-2621-00010-000, 44-2621-00008-000 and 44-2621-00007-000 for years 2006, 2007 and 2008. Motion carried.

Moved by Pic, seconded by Malm, to approve, in part, the abatement applications for Westgate Village on parcel number 44-1343-00002-009 and reduce the 2006 True and Full Value from \$3,208,600 to \$2,549,600 and reduce the 2007 True and Full Value from \$3,261,600 to \$2,607,300. Motion carried.

Roger Peterson, Westgate Village Manager, said that this abatement request is a very similar case to the Minot case where the Attorney General found the property would be exempt.

Moved by Malm, seconded by Knauf, to deny the abatement application for Westgate Village on parcel number 44-1343-00002-009 for 2008. Motion carried.

The Grand Forks County Commission board recessed and convened as the Grand Forks County Board of Equalization.

The Grand Forks County Commission board reconvened.

The Grand Forks County Commission recessed for a five minute break.

Todd Leake, Fairfield Township, addressed the board regarding the road mowing deadlines and frequency for township roads in the County.

Lane Magnuson, County Planner, addressed the board.

Raymond Wilkens, Rye Township, addressed the board asking if the Zoning and Subdivision Agreement would give Grand Forks City zoning authority on the 2-4 mile area. Mr. Magnuson said the County would not have zoning authority for the two townships in the extraterritorial area that do their own zoning, Rye and Falconer Township. In those townships there would be joint zoning between the City and Township. The County will continue to have authority over all subdivisions.

Moved by Malm, seconded by Schmisek, to approve the Chair's signature on the Zoning and Subdivision Agreement between Grand Forks County and the City of Grand Forks. Motion carried.

Moved by Malm, seconded by Pic, to approve the Chair's signature on a letter to Township Officers regarding options for applying for hazard mitigation grants or flood buyouts. Motion carried.

Megan Truax, Anne Carlson Center, addressed the board offering participation in a recycling program for the County Office Building at no cost to the County. This will be considered in the fall after the Courthouse boiler project is complete.

Peter Welte, States Attorney, addressed the board regarding a letter received from Mr. Larry Richards terminating the Mental Health Services Contract effective September 4, 2009. Mr. Welte will call local law firms to see if anyone is interested in the Mental Health Services Contract.

Moved by Schmisek, seconded by Pic, to approve the Chair's signature on the Live Well Solutions Agreement. Motion carried.

Moved by Schmisek, seconded by Knauf, to approve the Chair's signature on the EAPC Amendment to the contract for the South Central Parking Ramp – Painting and Lighting Retrofits. Motion carried.

Debbie Nelson, Finance and Tax Director, gave the June 2009 Financial Report.

Moved by Pic, seconded by Knauf, to approve the Chair's signature on the Amendment to Lease for storage space utilized by the Northeast Human Service Center within the Grand Forks County Office Building for the period of July 1, 2009 through June 30, 2011. Motion carried.

Moved by Knauf, seconded by Malm, to approve the Chair's signature on the Contract for Service with Northeast Human Service Center for mental health and chemical dependency services to individuals incarcerated at the Grand Forks County Correctional Center 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 the North Dakota Department of Transportation Traffic Safety Contract for FY 2009. Motion carried.

Moved by Pic, seconded by Schmisek, to approve the Chair's signature on the Court Services Contract between the State of North Dakota, Grand Forks County and the City of Grand Forks. Motion carried.

Al Morken, Public Safety Answering Point Director, informed the board he will be resigning as Director on September 7, 2009.

Moved by Malm, seconded by Pic, to adjourn. Motion carried. The meeting adjourned at 6:36pm. The next meeting will be held on July 21, 2009.

William Murphy, Chair
Grand Forks County Commission

Debbie Nelson, County Auditor