

RICHLAND COUNTY BOARD OF COMMISSIONERS
June 23, 2014

The Richland County Board of Commissioners met on June 23, 2014 at the Richland County Courthouse with Commissioners Sid Berg, Tim Campbell, Jason Heitkamp and Dan Thompson. Commissioner Perry Miller was absent. Also present were Administration Personnel Bailey and DeVal; States Attorney McBeth; and visitor Bala Vairavan from Ulteig Engineers.

MISC/CORRESPONDENCE

- Correspondence from ND Dept of Health re- Storbakken Sanitation Inc
- Invitation to ND Governor's Pipeline Summit, June 24 in Bismarck
- Correspondence from Gerald VanderWalle re- rededication ceremony
- Notice of 5-County Meeting, July 10 at Dead Colt Creek, Lisbon
- Invitation to ND Solid Waste & Recycling Symposium, Sept 16-18 in Grand Forks

WORKSITE WELLNESS PROGRAM

Pat Giese, along with other members from the Committee were in attendance including, Josh Beto, Deb Flack, Mechelle Olson, and Matt Syvertsen.

Giese reported:

- the committee has been meeting for 9 months, consisting of a group of 12 people to implement a worksite wellness program that encourages and supports healthy behaviors
- current funding sources:
 - \$5,000 grant from the ND Cancer Coalition
 - \$605 (pedometers) from the ND Cancer Coalition
 - \$350 (lunch for wellness kickoff) from the County CEE Committee
- Health Risk Assessment (modifiable) risk factors:

dangerous sun exposure	low fruits & vegetables in diet
high weight/BMI	high LDL cholesterol
inadequate exercise	low fiber in diet
high blood pressure	high blood sugar
high total cholesterol	overdue dental exam

- Goals

- access to healthy food choices in the workplace
- increase physical activity of employees
- create a work culture for employees to take advantage of and participate in healthy activities

The committee has drafted a calendar for worksite wellness and are requesting to establish an annual operations budget in the amount of \$2500-\$5000.

Syvertsen explained that there would be a cost associated with the monthly events outlined in the calendar. The grants helped with the initial start but with an established budget, the committee will know what they can plan for the year. The committee will have an exact amount for the Board at Budget time.

The Board will address the request at Budget Time.

HIGHWAY DEPARTMENT

Highway Personnel in attendance were Justin Flack, Lowell Bladow and visitor Damon DeVillers from Interstate Engineering.

County Township Road Mileage Certification - Biennial certification is administered through the County to verify the township road mileage for the State. We sent the forms to the Townships to certify their mileage. The form requires the signature of the Commission Chair. A motion was made by Campbell to authorize the required signature; motion seconded by Heitkamp. Vote was unanimous.

Project Updates -

CR 22 - Central Specialties began work last week. They plan to get all the culverts installed and all the grade work done to the point of being ready for asphalt paving. Then they will come back later in the summer to pave.

CR 16 - Mark Sand & Gravel has pushed back their tentative start date another week, they are now looking at starting June 30th.

Wild Rice Bridge Project (Bridge 126-30) - Industrial Builders has mobilized equipment and staking has started. Plan to start driving piling this week.

Other Departmental Matters -

- A letter of Resignation was received from Engineer Flack. His final day will be July 10th. A motion was made by Heitkamp to accept the resignation; motion seconded by Campbell. Vote was unanimous.

- Flack reported that with the last rain event, 7 bridges and low water crossings are closed. Some were tore out and some need repair
- Heitkamp asked about the Drain 65 project - Flack replied it is scheduled for later this summer.
- Berg asked about the Jim Anderson situation. Flack replied we will be meeting with the Water Board later today - they had received an objection from Gruba's and now from Jim Anderson to the previous objection. Jim Anderson wants the culvert removed. Gruba's would like it left as a safety valve until a high water time to see that it works and then they would be OK with the removal.

Campbell commented that it is our ROW and the WRB drain so it is our decision. We need to make a decision and move forward.

Walt Hardie and Wayne Hardie - CR 22 - Campbell reported that Walt Hardie contacted him this morning concerned when he saw some upsizing to culverts so Campbell asked him to come to the meeting today.

Flack reported that we did reconstruct and have to bring the culverts to ND Stream Crossing Standards.

Hardie's expressed concerns that they had not been notified and that the orders come from the State and the state has no idea what is going on here.

Campbell explained that if we do not follow the state requirements, we do not get the funding.

Heitkamp asked Flack if there was any leeway in the Standards. Flack replied he could look into it.

Thompson informed Hardie's that the Board would discuss with the Water Board.

SWIMMING POOL ORDINANCE - SECOND READING

Deb Flack along with Justin Bohrer and Donna Huesby of Fargo Cass Public Health Environmental Services presented the proposed Ordinance for the second reading. (Copy attached to minutes)

Flack reported letters were sent to pool owners and the notice was published in the paper. She did receive a call from the Lidgerwood City Pool with some questions, but no other feedback was received.

A motion was made by Heitkamp to approve the Second Reading; motion seconded by Campbell. Vote was unanimous.

ASSESSOR'S OFFICE

Fossum requested authorization to advertise and hire an additional staff person in her office due to the workload; however it is not in the budget for this year. Fossum reported it is possible that she will not spend her entire budget this year and may be under budget on several line items.

Campbell asked about office space. Fossum replied that John Anderson is going to Bismarck today to pick up some office cubicles that will work in the office for additional staff.

A motion was made by Heitkamp to authorize advertising for an additional staff person in the Assessors Office; motion seconded by Berg. Vote was unanimous.

MISC/CORRESPONDENCE continued

Thompson reported that John Anderson met with him before the meeting today to propose a new air conditioning unit for the Commission Room. The proposed cost is \$3500-\$3600 for a wall unit, similar to what was installed in the Courtroom. A motion was made by Berg to proceed with the new air conditioning unit in the Commission Room; motion seconded by Heitkamp. Campbell was absent during the vote, the remainder voted Yes and the motion carried.

WATER RESOURCE BOARD

Jim Anderson/Gruba Situation - Thompson reported we had agreed to a diagonal culvert and Gruba's filed an objection - the Commission discussed it earlier today and are ready to move forward.

WRB Burvee asked if the Weere was going to be put back on. Flack asked if by putting the Weere back on you mean add elevation to it? WRB Burvee replied Yes.

Bladow reported we took shots and we determined it was at the elevation we needed it to be at - he recommended leaving the weere as is, and not add elevation.

Thompson added we are going to leave the culvert there to prove our diagonal works.

Lengthy discussion followed on whether or not the culvert should be removed. At the conclusion of discussion - Thompson stated - we are all in agreement that we are going to put the diagonal in and leave the East/West culvert in place.

Berg commented that Jim needs to understand that we are trying to save a residency and that we realize he is going to lose some cropland.

Commissioner Campbell left the meeting at this time. 10:00 AM

CR 22 Project - Thompson reported some culverts were upsized and Walt and Wayne Hardie met with the Commission earlier today to voice concerns.

Damon DeVillers stated we have to meet the design standards to get the funding.

Burvee recommended looking at a berm on the E side of the natural channel or modifying the plated culvert.

No action was taken by the Board.

Being there was no further business, the meeting adjourned at 10:10 A.M.

ATTEST:


Harris Bailey
Auditor/Administrator

 CHAIRPERSON
Dan Thompson
Board of Richland County Commissioners

RICHLAND COUNTY

SUBJECT: ORDINANCE ENACTING SWIMMING POOL REGULATION

REGULATIONS FOR OWNERS AND OPERATORS OF SWIMMING POOLS

Section 1. Definitions. –

- A. "Residential Pool": Any body of water in an artificial or semi-artificial receptacle or other container located at a private residence and used or intended to be used solely by the owner, operator or lessee thereof and his family, and by friends invited to use it without payment of any fee.
- B. "Health Department": Richland County Health Department
- C. "Person": Any person, firm, partnership, association, corporation, company or any organization of any kind.
- D. "Public or Semi-Public Swimming Pool": Any body of water in an artificial or semi-artificial receptacle or other container whether located indoors or outdoors, exclusive of a residential pool as defined herein, which is used or intended to be used for public, semi-public or private swimming by adults or children, or both adults and children, whether or not any charge or fee is imposed upon such adults or children, operated and maintained by any person as herein defined, whether they be an owner, lessee, operator, licensee or concessionaire. Public and semi-public swimming pools shall include all structures, appurtenances, equipment, appliances and other facilities appurtenant to and intended for the operation and maintenance of a swimming pool. This includes all public swimming pools operated and maintained in conjunction with or by clubs, city parks, motels and hotels, and all semi-public pools operated and maintained in conjunction with or by apartments and community associations.

Section 2. Health department approval of construction plans. –Before work is commenced on the construction of a public or semi-public swimming pool or on any alteration, addition, remodeling or other improvement to a swimming pool, the plans and specifications shall have been approved by the health department. Residential swimming pools are exempt from these requirements.

Section 3. Bathers with communicable diseases. –No person having any skin eruptions or abrasions, sore or infected eyes, a cold, nasal or ear discharge, or any communicable disease shall be permitted to use a public or semi-public swimming pool. Spitting, spouting water, or blowing the nose in the swimming pool shall be strictly prohibited. The operator of a public or semi-public swimming pool shall post suitable placards embodying such personal regulations and instructions.

Section 4. Sanitation of premises.—The buildings, grounds, dressing rooms and all other areas of public or semi-public swimming pool facilities shall be kept clean and in a sanitary condition and maintained free from garbage, trash and other refuse.

Section 5. Cleaning pool.—Visible dirt on the bottom of public or semi-public swimming pools and visible scum or floating matter on the surface of pools shall be removed at least once daily with an approved type of vacuum cleaner or as often as necessary to maintain good sanitary conditions. All public or semi-public swimming pools shall be thoroughly cleansed at least once each week in a manner and by the use of such disinfecting agents or cleansing materials as may be required by the health department.

Section 6. Inspection by health department.—The health department may inspect or cause to be inspected all public or semi-public swimming pools within the county at such times as it may deem necessary to carry out the intent of this ordinance. Residential pools may also be subject to inspection if it is determined the pool has been neglected or abandoned and may cause a health risk as described in this ordinance. The health department is thereby authorized to enter upon any premises, private or public, to take such samples of water from such pools at such times as it may deem necessary and to require the owner, proprietor or operator to comply with rules and regulations pertaining to swimming pools promulgated by the health department in accordance with this ordinance. In the event of the failure of compliance after due notice with the rules and regulations and requirements of the health department or the requirements of this ordinance, the health department shall have the power to abate or cause a suspension of the use of such public or semi-public swimming pools until such time as the same is, in the opinion of the health department, no longer a menace or a hazard to health, safety or morals.

Section 7. Periodic inspection and testing by the health department.—All public or semi-public swimming pools in use shall be sampled and tested at intervals to be determined by the health department. Said periodic inspections shall include, but are not necessarily limited to, the following tests:

- A. Coliform test
- B. Standard plate count
- C. Chlorine residual
- D. Determination of pH

The allowable limits and frequency of such tests shall be as determined by the health department.

Section 8. Fees.—The fee for the periodic tests required in Section 7 shall be established by the Richland County Health Department. Any fees for periodic inspection and testing shall be the expense of the pool operator.

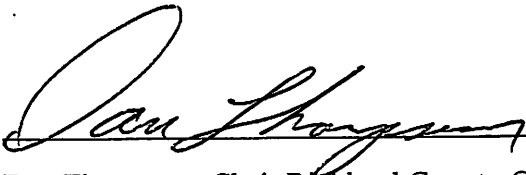
Section 9. Severability.—

- A. With the passage of the ordinance, the entire county will be covered by a uniform swimming pool ordinance which will apply within the boundaries of Richland County, except that this ordinance will not supersede any ordinance of any political subdivision without its consent nor establish an ordinance in any incorporated political subdivision without its consent.
- B. Should any section, provision or part of this ordinance be adjudged invalid or unconstitutional, such adjudication should not affect the validity of the ordinance

as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

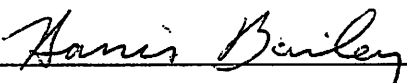
Section 10. Effective Date.

This ordinance shall be in full force and effect from and after its final passage.



Dan Thompson, Chair Richland County Commission

Attest:



Harris Bailey, Auditor/Administrator

First Reading: June 2, 2014

Filing Date: _____

Publication Date: June 8, 2014

Final Reading: June 23, 2014