

**RICHLAND COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 20, 2016**

The Richland County Board of Commissioners met on September 20, 2016 at the Richland County Courthouse with Commissioners Sid Berg, Nathan Berseth, Tim Campbell, Rollie Ehlert and Dan Thompson. Others in attendance were Administration Personnel Bailey and DeVal; State's Attorney McBeth; and a Daily News Reporter.

EMERGENCY MANAGEMENT REPORT

American Red Cross Shelter Training - Scheduled for September 22nd at Harvest Outreach Church from 9:00 A.M. to 2:00 P.M.

ND Dept of Emergency Services Audit - An audit for the 2011 Disaster Year is scheduled for September 26. We may have to pay back funds for the projects not completed.

Audit of FEMA Floods for 2009, 2010, 2011 and 2014 - The Office of Inspector General will be contacting us to schedule dates and times they will be in Richland County to audit FEMA Public Assistance Grant Funds awarded to Richland County.

Flood Emergency Action Plan Workshop - The Workshop sponsored by the US Corps of Engineers is scheduled for September 30th at the Wilkin County Recycling Center Community Room.

FEMA Projects - Working on closeout requests.

Richland/Wilkin Emergency Preparedness Group - A Meeting is scheduled for 9:15 A.M. today.

MISC/CORRESPONDENCE

- Notice of 5-County Meeting scheduled for October 6th in LaMoure County

- Request from the ND State Fair for appointment of Delegates. Thompson will follow-up and report at the next meeting.

A motion was made by Thompson to approve Temporary Liquor License Applications for the Black Pelican for events at the Bagg Farm October 1-2, October 8-9, and October 22-23; motion seconded by Ehlert. Vote was unanimous.

A motion was made by Ehlert to approve a bill from the Richland County Water Resource District in the amount of \$6,139.45 for expenses relating to the Fargo-Moorhead Flood Diversion Project; motion seconded by Berg. Vote was unanimous.

JUDGE CRUFF - DUI COURT

Cruff reported that the Drug Court has been awarded a Department of Justice Grant for the DUI Court; it has a 25% local match from the County.

Discussion followed and included:

- the life of the grant is three years, Judge Cruff requested a match commitment for the length of the grant rather than just one year at a time commitment so they can build the program
- the County has spent \$61,382 in the past three years for the program
- the number of individuals participating in the program was discussed
Judge Cruff stated that the most participants they had in the program at one time was 6 however the rules at that time were that participants had to be residents of Richland County - they can now take participants from outside of the County in the program and there is now the potential for 10-25 participants.
- the return on investment, and the potential savings in County Jail costs and Social Service Programs, etc.

Following discussion a motion was made by Berseth to accept the proposal for three years as presented and budget for the grant match in the amount of \$86,652; motion seconded by Ehlert. Voting NO was Campbell, the remainder voted Yes and the motion carried.

HIGHWAY DEPARTMENT

Highway Personnel in attendance were Lowell Bladow, Ron Hohenstern and Moriah Herding.

CH#19, CH#3 & CH#21 Overlay Projects - Roads have been seal coated and fogged, striping will be done in appx one week.

CH#8 from I-29 to Brushvale Bridge - Road has been seal coated and fogged, striping will be done in appx one week.

CH#21E Bypass Haul Road - Plan to start paving later this week.

CH#1 from Hwy 13 to CH#16 and maintenance Overlays - Mark Sand & Gravel is crushing material; asphalt plant to arrive next week.

Other Dept Matters -

- Work has been completed replacing Bridge 114-21 in Antelope Twsp
- Will be filling bumps on CH#81 with asphalt

Bladow was asked to look at several areas of concern

- the Bridge in Abercrombie over the Red
- chip seal on CH#16, west bound lane, by WalMart

Berg was contacted by an individual who was interested in leasing space at the Galchutt Shop to store some equipment. Bladow replied that the shop space is already full with County materials/supplies.

Berg was contacted by James Anderson regarding the culvert and weir structure installed between Sections 32 & 33 Viking Twsp; he would like it removed and claims there was an Agreement that the pipe would only remain in place for two years. The Highway Dept has a letter on file dated June 24, 2014 to Mr Anderson stating that a 24" culvert will be installed diagonally between Sections 32 & 28 in Viking Twsp, with a flapgate, and that it was also decided that the 36" drop structure culvert between Section 32 & 33 will remain in place for the time being. Anderson claims he never received the letter and claims he has something dated April 10, 2014 stating that it will come out and was signed by Justin Flack, County Engineer and Monica Zentgraf for Don Moffet, Water Resource Board.

Campbell recommended the file be pulled for review and further discussion with the Water Resource Board.

SENATOR LUICK - LAWSUITS and NORTH DAKOTA DIVERSION

Senator Luick informed the Commission of Water Topics Committee Meetings scheduled for Thursday and Friday this week in Bismarck; Luick felt the meetings would be important for issues in Richland County. He is waiting for more detailed information - there will be time allotted for specific issues.

The Commission discussed the County, as well as the JPA and Upstream Coalition, having a presence in Bismarck before the Legislature starts. Senator Luick suggested having one sheet with specific topics/concerns to present at the Water Topics Committee Meetings stating what we see going on - and what action is wanted. Berseth will attend the meeting to represent Richland County.

Senator Luick also commented on Eminent Domain Laws - The Quick Take Procedure is wonderful, if used correctly, for right-of-way or easements; it is not for ownership - abuses have happened across the state.

DON HEITKAMP - PESTICIDE REGULATIONS

Mr Heitkamp has sent several letters to the Commissioners concerning the Decree issued by Ag Commissioner Goehring.

Mr Heitkamp requested the Commissioners declare the Decree issued by Ag Commissioner Goehring be considered null and void in Richland County and that the federal pesticide regulations be upheld as pursuant to federal law.

State's Attorney McBeth stated there was nothing the Commissioners could do, these were Ag Commissioner Goehring's findings.

Campbell stated that the Commissioners could not make an opinion on Ag Commissioner Goehring's statements, as they were not party to the hearing. The County abides by the Federal Requirements and has a Weed Board. Mr Heitkamp's issue is with Ag Commissioner Goehring, not the County. The State's Attorney has the information to take under advisement and the Commission will wait for any recommendation from the State's Attorney.

MISC/CORRESPONDENCE

Ehlert gave a Buildings & Ground Update -

- the John Deere mower purchased for mowing the south side cemetery is appreciated by the volunteers
- John Anderson is in the cities for Honeywell Training today
- waiting on quotes from Hebron Brick and Fergus Falls Monument for the front steps of the courthouse

Berg gave a report on the County Park Board meeting held on September 19 -

- the Park Board has requested the excess funds returned to the Richland County General Fund (\$39,267.33 as of December 31, 2015) be returned to the County Park Board for distribution to the individual city park boards.

A motion was made by Berg to approve the request to return \$39,267.33 from the County General Fund to the County Park Board for distribution; motion seconded by Ehlert. Vote was unanimous.

Upcoming Meetings

Sept 28 Budget Hearing 7:00 P.M.

Being there was no further business, the meeting adjourned at 10:00 A.M.

ATTEST:


Harris Bailey
Auditor/Administrator

 CHAIRPERSON
Tim Campbell
Board of Richland County Commissioners