

**REGULAR MEETING OF CASS COUNTY BOARD OF COMMISSIONERS
APRIL 4, 2016**

1. MEETING CALLED TO ORDER

Chairwoman Mary Scherling called the meeting to order at 3:30 PM with all members present as follows: Ken Pawluk, Rick Steen, Arland H. Rasmussen, Chad M. Peterson and Mary Scherling.

2. PLEDGE OF ALLEGIANCE

Heather Worden led the Pledge of Allegiance.

3. MINUTES APPROVED

MOTION, passed

Mr. Peterson moved and Mr. Steen seconded that the minutes of the previous meeting be approved as written. Motion carried.

4. AGENDA, Order approved

MOTION, passed

Mr. Pawluk moved and Mr. Peterson seconded to approve the order of the agenda with the addition of a change order and cost proposal for audio/video system for the Law Enforcement Center to the regular agenda. Motion carried.

5. CONSENT AGENDA APPROVED

MOTION, passed

Mr. Rasmussen moved and Mr. Steen seconded to approve the consent agenda as follows: On roll call vote, the motion carried unanimously.

- a. Approve a special event permit for Bar Nine to serve alcoholic beverages on April 9, 2016, during the hours of 6:00 PM to 12:00 AM for a wedding reception to be held at Bonanzaville, U.S.A. in West Fargo, North Dakota.
- b. Approve a raffle permit for JS Bitker LLC d/b/a Red River Valley Speedway to be held May 6, 2016, to September 30, 2016, at the Red River Valley Speedway in West Fargo, North Dakota; and approve a raffle and poker permit for Diamond in the Ruff Pet Rescue to be held May 7, 2016, at the Red River Valley Fairgrounds in West Fargo, North Dakota.
- c. Approve polling location changes for precincts 13-03 (Veterans Memorial Arena to Cambria Suites), 16-02 (name changed to Lutheran Church of the Cross), and 16-04 (additional site at Journey in Faith Church); designate polling hours to be 7:00 AM to 8:00 PM; and designate early voting precincts at Cambria Suites, Baymont Inn and Casselton Days Inn for the June Primary Election.
- d. Contract approval
 - Riley Brothers Construction, Inc.—bridge replacement and roadway construction project two miles west and three miles north of Buffalo;
 - Riley Brothers Construction, Inc.—box culvert replacements in Warren-Normanna, Dows and Addison Townships;
 - All-Terrain Grounds Maintenance—Courthouse, Annex, Jail and Springvale Cemetery grounds maintenance.

6. **RESOLUTION #2016-4, Southwest Metro Transportation Plan**

Adam Altenburg from Fargo-Moorhead Metropolitan Council of Governments (MetroCOG), and Cindy Gray from SRF Consulting were present to discuss the Southwest Metro Transportation Plan. Fargo, Horace, Cass County, Southeast Cass Water Resource District and MetroCOG worked together to identify future roadway system needs for the next 25 years in the area south of 52nd Avenue South. The plan will allow jurisdictions to preserve right-of-way, connectivity and roadway frontages, and consider bikeway and pedestrian networks and transit needs.

Ms. Gray said the plan starts at 52nd Avenue South and continues to 100th Avenue South, and includes tiered growth areas and best fit scenarios to determine phasing and prioritization of future transportation needs. She said the plan includes upgrading 76th Avenue South to a four-lane limited stop expressway between I-94 to the east and County 15 to the west with a six-lane segment between I-29 and 45th Street South.

Mr. Pawluk said the plan is important to designate future expressways and preserve right-of-way for road projects. Mr. Peterson asked about the cost estimates and whether inflation was considered. Ms. Gray said they were adjusted for inflation.

MOTION, passed

Mr. Steen moved and Mr. Rasmussen seconded to adopt Resolution #2016-4, Southwest Metro Transportation Plan as follows: On roll call vote, the motion carried unanimously.

RESOLUTION #2016-4

SOUTHWEST METRO TRANSPORTATION PLAN

WHEREAS, the Board of Commissioners is the duly elected governing body for Cass County and is responsible for the planning and development of a safe and functional transportation system;

WHEREAS, the Fargo-Moorhead Metropolitan Council of Governments (Metro COG), as the metropolitan planning organization designated by the Governors of North Dakota and Minnesota to maintain the metropolitan area's transportation planning process in accordance with federal regulations, has completed the Southwest Metropolitan Transportation Plan, which is a vital piece of this planning process;

WHEREAS, the Southwest Metro Transportation Plan provides a comprehensive, coordinated program of projects and strategies that will improve the regional transportation system in the Fargo-Moorhead metropolitan region as the southern growth area continues to urbanize;

WHEREAS, the contents herein are consistent with those of the Long Range Transportation Plan, Metro 2040;

WHEREAS, the planning process was guided by the Study Review Committee (SRC) and the Metro COG Transportation Technical Committee (TTC), composed of a wide cross-section of local multi-modal technical experts including engineers, planners, transit administrators, and state and federal transportation officials;

WHEREAS, public and private organizations representing numerous transportation interests, as well as groups and individuals from socially disadvantaged populations were invited, encouraged, and involved in this Plan's preparation in full compliance with Metro COG's Public Participation Plan;

NOW, THEREFORE BE IT RESOLVED that Cass County does hereby adopt the Southwest Metro Transportation Plan and agrees to use it as a tool to implement metropolitan transportation goals and objectives, which will complement overall development of the metropolitan transportation system;

Approved and adopted this 4th day of April, 2016.

7. BUDGET ADJUSTMENTS FOR 2016, Approved

Michael Montplaisir, County Auditor, said at the last meeting the board asked departments to provide budget cuts due to revenue shortfalls in the General Fund at the end of this year. Approximately \$1.2 million in reductions were submitted by departments for a projected ending balance of \$3.9 million or 12% in reserves, which is line with the policy on fund balance reserves. He said cuts were also provided for the Road and Bridge, Social Services and Weed Control Funds. The county will be in a better position for 2017 budgeting as a result.

Mr. Pawluk asked if the county is able to transfer dollars from other funds to the General Fund. Mr. Montplaisir said funds that are levied and dedicated for a particular purpose are not able to be transferred to the General Fund.

Mr. Steen asked how much of the cuts are for items that will be deferred until next year. Mr. Montplaisir said a significant amount will be deferred until 2017 or later. Mr. Steen said the county has held the mill levy down for several years and anticipates the next two years will be tough budget cycles.

Mr. Rasmussen suggested the board consider reducing the commission travel budget. The budget includes \$3,000 for each commissioner totaling \$15,000 for the entire board.

MOTION, passed

Mr. Pawluk moved and Mr. Steen seconded to reduce the commission travel budget by 50%. On roll call vote, the motion carried unanimously.

Birch Burdick, State's Attorney, said even though funds are budgeted they may not all be spent by the end of the year, so there is the potential for additional cost savings to the county.

Sheriff Paul D. Laney asked for clarification on the mandated versus non-mandated travel request made by the commission at the last meeting. Mrs. Scherling said the intent of the board is not to micromanage, and she trusts that departments will make cuts where the option is available.

MOTION, passed

Mr. Peterson moved and Mr. Steen seconded to approve the proposed adjustments and amend the 2016 budget for the General, County Road and Bridge, Social Service and Weed Control Funds. Discussion: Mr. Steen asked if any road projects will be deferred this year. County Engineer Jason Benson said all projects for 2016 are moving ahead as scheduled. He said the county will most likely see a reduction in state funding in 2017, which will affect the number of projects slated for next year. On roll call vote, the motion carried unanimously.

8. **ROAD DEPARTMENT, Contracts approved with KD Hoyt, Inc.; Central Specialties; Border States Paving**

The board approved a contract at their last meeting with KD Hoyt, Inc. for a subgrade repair on County Highway 3 from Ayr to I-94. Jason Benson, County Engineer, was present to request approval of the gravel stabilization option at a cost of \$554,186.70 with KD Hoyt, Inc. to be done in conjunction with the repair project. The cost for both is \$2,167,459, which is over the \$1.5 million budgeted for the projects; however, due to lower asphalt prices, bids received have been significantly lower than engineer's estimates and funds are available. The gravel stabilization will improve overall performance and reduce future gravel and maintenance needed.

MOTION, passed

Mr. Pawluk moved and Mr. Peterson seconded to authorize the chair to sign a contract with KD Hoyt, Inc. in the amount of \$554,186.70 for Option 1 of the subgrade repair project on County Highway 3 from Ayr to I-94. On roll call vote, the motion carried unanimously.

Mr. Benson said a very competitive bid environment exists and briefly discussed two additional projects in which bids were substantially lower than the engineer's estimates.

MOTION, passed

Mr. Pawluk moved and Mr. Peterson seconded to authorize the chair to sign a contract with Central Specialties, Inc. in the amount of \$4,947,191.63 for grading and bituminous overlay on County Highway 17 from 12th Avenue North to Exit 73 at Harwood; and a contract with Border States Paving, Inc. in the amount of \$1,614,514.13 for grading, road realignment and bituminous surfacing on County Highway 31 north of County Highway 20 near Stockman's Subdivision and the City of North River. On roll call vote, the motion carried unanimously.

9. **CASS COUNTY LAW ENFORCEMENT CENTER, Change order with RBB Electric; funds for audio/video equipment approved**

Terry Schmaltz, Information Technology Director, and Sheriff Paul D. Laney were present to discuss equipment and electrical needs at the Cass County Law Enforcement Center. Mr. Schmaltz said there is an outstanding change order with RBB Electric in the amount of \$6,360 for additional electrical work at the building.

MOTION, passed

Mr. Peterson moved and Mr. Pawluk seconded to approve a change order in the amount of \$6,360 with RBB Electric for additional electrical work at the Cass County Law Enforcement Center. On roll call vote, the motion carried unanimously.

Mr. Schmaltz received a proposal in the amount of \$85,000 to purchase and install audio/video equipment in the main gym area and training classrooms. The gym will be used as the Tactical Operations Center during emergencies. He provided another option to install projectors and screens in the training rooms only for \$11,000. Sheriff Laney understands the budget constraints and said equipment for the gym area could be considered at another time.

MOTION, passed

Mr. Pawluk moved and Mr. Peterson seconded to approve \$11,000 for the purchase of projectors and screens in the training rooms at the Cass County Law Enforcement Center. On roll call vote, the motion carried unanimously.

10. GREATER FARGO MOORHEAD ECONOMIC DEVELOPMENT CORPORATION, Semi-annual report

Jim Gartin, President of the Greater Fargo Moorhead Economic Development Corporation (GFMEDC), was present to provide year-end numbers on 2015 programs and initiatives and organizational activities from the first quarter of 2016. He said the first quarter of 2016 saw significant growth for businesses in the area.

11. VOUCHERS, Approved

MOTION, passed

Mr. Peterson moved and Mr. Steen seconded to approve Voucher No. 292,074 through Voucher No. 292,249. On roll call vote, the motion carried unanimously.

12. MEETING UPDATES; WEST CENTRAL REGIONAL JUVENILE BOARD, Committee reports

Commissioners reported on meetings they have attended in the last few weeks.

Mr. Pawluk will attend the West Central Regional Juvenile Advisory Board meeting on April 14th. He will inform the board about Commissioner Peterson taking over as the county representative on the board.

13. CORRESPONDENCE, Received and filed

MOTION, passed

Mr. Peterson moved and Mr. Rasmussen seconded to receive and file correspondence outlined by the secretary as follows: Motion carried.

- Letter from the North Dakota Department of Human Services regarding a Quality Improvement and Civil Rights Review of the Supplemental Nutrition Assistance Program (SNAP) to be conducted on May 23-25, 2016;
- Letter from Moore Engineering, Inc. requesting comments on any environmental concerns with a proposed roadway improvement project on 9th Street and 13th Avenue East in West Fargo (copy referred to county engineer);
- City of Fargo special assessment notices for Cass County Jail property at 450 34th Street South and Cass County Annex property at 1010 2nd Avenue South (funds are available in the Budget Authority to pay off specials on the Jail property; the specials for the Annex will be included in next year's budget).

14. ADJOURNMENT

MOTION, passed

On motion by Mr. Peterson, seconded by Mr. Pawluk and all in favor, the meeting was adjourned at 5:15 PM.

ATTEST:

APPROVED:

Michael Montplaisir – Auditor
Cass County, North Dakota

Mary Scherling, Chairwoman
Cass County Board of Commissioners