

**REGULAR MEETING OF CASS COUNTY BOARD OF COMMISSIONERS
APRIL 18, 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. Steen moved and Mr. Rasmussen 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. Motion carried.

5. CONSENT AGENDA APPROVED

MOTION, passed

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

- a. Authorize the chairwoman to sign Resolution #2016-5, Proclamation for National Foster Care Month, May 2016 as follows:

RESOLUTION #2016-5
NATIONAL FOSTER CARE MONTH

WHEREAS, the family, serving as the primary source of love, identity, self-esteem and support, is the very foundation of our communities and our State, and

WHEREAS, in Cass County there are approximately 232 children and youth in foster care being provided with a safe, secure and stable home along with the compassion and nurture of a foster family, and

WHEREAS, foster families, who open their homes and hearts and give hope to children whose families are in crisis, play a vital role helping children and families heal and reconnect and launching children into successful adulthood, and

WHEREAS, dedicated foster families frequently adopt foster children, resulting in a greater need for more foster families, and

WHEREAS, there are numerous individuals, public and private organizations who work to increase public awareness of the needs of children in and leaving foster care as well as the enduring and valuable contribution of foster parents, and the foster care “system” is only as good as those who choose to be part of it,

NOW, THEREFORE, I, Mary Scherling, by virtue of the authority vested in me as *Chairwoman of the Board of Cass County Commissioners* do hereby proclaim May of 2016 as FOSTER CARE MONTH in Cass County and urge all citizens to come forward and do something positive that will help change a *lifetime* for children and youth in foster care.

- b. Receive financial statement from the Auditor's Office for the month ended March 31, 2016.
- c. Approve a special event permit for Rick's Bar to serve alcoholic beverages on June 25, 2016, during the hours of 3:00 PM to 1:00 AM for a wedding reception to be held at Bonanzaville, U.S.A. in West Fargo, North Dakota; and retroactively approve a special event permit for the Silver Dollar Bar to serve alcoholic beverages on April 16, 2016, during the hours of 5:00 PM to 11:00 PM for a Delta Waterfowl event at the Red River Valley Fairgrounds in West Fargo, North Dakota.
- d. Amend Commission Policy 4.00 Advisory Boards and appoint Glenn Ellingsberg to the Cass County Social Services Board for an unexpired term ending December 31, 2018, and appoint Brad Schmidt to the Cass County School Reorganization Committee for an unexpired term ending December 31, 2017.
- e. Discontinue spring load restrictions on Cass County highways effective April 19, 2016.
- f. Contract approval
 - Citi Lites, Inc.—utility cable locating services agreement;
 - 12th Avenue reconstruction agreement—outlines responsibilities and cost share between Fargo, West Fargo and Cass County for reconstruction of 12th Avenue North from Cass County Highway 19 to 45th Street based on Memorandum of Understanding approved on October 24, 2011;
 - Knife River Materials—asphalt overlay from Davenport to Kindred on County Highways 27, 16 and 15;
 - Northern Improvement Co.—County Highway 28 asphalt overlay, culvert replacement and shared use path (county will pay the local share for culverts and paving; the remainder will be paid from North Dakota Parks and Recreation grant funding and the Red River Valley Fair Association).

6. CASS COUNTY YOUTH COMMISSION REPORT

Issac Spanjer, Chair of the Cass County Youth Commission, and sophomore at North High School, was present to update the county commission on activities of high school students participating in the program. He has gained leadership skills as a result of serving on the commission, and thanked commissioners and mentors for their support of the program.

Also present were Charlotte Sandvik, Cass County Treasurer; Stan Wolf, Cass County Weed Control Director; and DeAnn Buckhouse, Elections Coordinator, who serve as mentors to the Youth Commission.

Mrs. Scherling asked Mr. Spanjer what he learned that most surprised him. He was surprised about the size of county government and how much it impacts the local community. The board thanked him and the other students for their service on the Youth Commission.

7. SOCIAL SERVICES, 2016 funding for Adult Protection Services

Chip Ammerman, Social Services Director, said funding was appropriated during the last legislative session to the North Dakota Department of Human Services (NDDHS) for the Adult Protection Services (APS) program. Cass County Social Services entered into a contract with NDDHS for the period of July 2015 through June 2017. He said in February the county was informed that because of a reduction in general fund expenditures, the contract with NDDHS would be reduced by \$237,537.

Mr. Ammerman said on April 4th the Social Services Board voted to allocate \$30,726.96 from the County Social Services Welfare Fund reserves to continue providing the program through December 31, 2016, and will review funding for 2017 during the budget process. The NDDHS has applied for a federal VOCA grant that may cover the funding shortage.

Mr. Pawluk asked what will happen on January 1st. Mr. Rasmussen said this issue will be discussed during budget hearings, and if the VOCA grant is approved, costs for APS will be covered through June 2017.

MOTION, passed

Mr. Rasmussen moved and Mr. Peterson seconded to approve the continuation of the Adult Protection Services program through December 31, 2016, with additional funds provided through the Social Services Welfare Fund. Discussion: Mrs. Scherling will support the motion reluctantly as these types of requests are difficult on the budget during the middle of the year. Mr. Ammerman said he believes there will be an answer regarding the VOCA grant by July before budget hearings are held. County Auditor Michael Montplaisir said the Auditor's Office has made referrals to this program regarding property tax issues and said it is a service that is needed—it is just a matter of which governmental entity pays the cost. On roll call vote, the motion carried with Mr. Rasmussen, Mr. Peterson, Mr. Steen and Mrs. Scherling voting "Yes"; Mr. Pawluk voting "No".

8. FLOOD CONTROL, State Water Commission reimbursement request for FM Diversion approved

During the last three legislative sessions, the state legislature approved a total of \$450 million to be spent on flood control costs. Michael Montplaisir, County Auditor, said for consideration today is the 26th request from the FM Diversion Authority, which covers eligible costs of local matching share requirements of House Bill 1020. The costs are for residential relocation assistance for homeowners displaced by in-town levee and OHB levee projects; commercial relocation assistance for the Oxbow Country Club; 2nd Street North floodwall project; 2nd Street North of pump station project; 4th Street pump station and gate well project; 2nd Street Floodwall South project; Park East Apartments demolition; and utility relocations for in-town levee projects.

Mr. Montplaisir said there is a remaining balance of \$137 million in state funds for flood control.

MOTION, passed

Mr. Steen moved and Mr. Peterson seconded to authorize the chair to sign reimbursement request #26 in the amount of \$1,021,657 to the State Water Commission to distribute funds to the FM Diversion according to the terms and conditions of House Bill 1020. On roll call vote, the motion carried unanimously.

9. RENAISSANCE ZONE AND TAX INCREMENT DISTRICT DISCUSSION

Michael Montplaisir, County Auditor, said he was asked to provide some information on renaissance zones and tax increment finance districts as a result of Burleigh County not approving a letter of support for the City of Bismarck to extend its renaissance zone program. He said over the last two years, Cass County has sent letters of support for Fargo and West Fargo to obtain five-year extensions for their renaissance zone programs.

Mr. Montplaisir said renaissance zones and tax increment districts are both incentive programs designed to spur development and growth. He said with renaissance zones, business and residential investments generate both property and income tax incentives to invest capital into the zone with the goal to promote economic growth. Tax increment financing (TIF) districts are created to help developers to make improvements through financing parts of a project, i.e. removing old structures or to complement a project, i.e. parking lots or ramps, and skyways. He said with tax incentive programs, the tax is not eliminated but shifted—in the short-term, the amount of taxes is spread over a smaller tax base and in the long run, the result is an increased tax base.

Mr. Pawluk said the rest of the citizens are paying the tax load to cover tax incentives created through renaissance zones or TIF districts. He believes the exemptions create an unfairness for those residents who do not qualify for these types of programs.

Mr. Steen said the City of Fargo has a Renaissance Zone Authority Committee made up of seven members appointed by the city. The committee oversees the implementation of plans and ensures projects comply with the goals and objectives. He suggested the county inquire about possible representation on the committee. He would be interested to see the return benefits to taxing authorities as a result of the tax incentive programs offered by the city. Mr. Montplaisir said the Fargo City Planning Office or Assessor's Office may have these figures.

Mr. Peterson discussed his concerns with plans to build a new office/hotel/apartment complex with a parking ramp in downtown Fargo, which is part of a TIF district. He firmly believes no one has completed a transportation study on the ability for 600-plus cars project to travel to this area daily using the current two-lane roads.

MOTION, passed

Mr. Steen moved and Mr. Peterson seconded to send a formal request to the City of Fargo regarding the appointment of a county representative to the Renaissance Zone Authority Committee. Motion carried.

10. VOUCHERS, Approved

MOTION, passed

Mr. Peterson moved and Mr. Rasmussen seconded to approve Voucher No. 292,250 through Voucher No. 292,549. On roll call vote, the motion carried unanimously.

11. FLOOD SALES TAX; MEETING UPDATES, Committee reports

Mr. Pawluk asked about the possibility of extending the sales tax to help pay for costs associated with the FM Diversion project. Mr. Montplaisir said Ernst & Young is preparing a financial analysis that will include different scenarios to consider. He said a financial plan needs to be determined by the middle of May.

Commissioners reported on meetings they have attended or will be attending in the upcoming weeks.

12. 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.

- Letters from the North Dakota Department of Transportation regarding bridge structures requiring scour and channel profile inspections and bridge structures with Alert Code 3 designations;
- Letter from City of Fargo Planning and Development regarding a zoning change from agricultural to single-dwelling residential for a tract of land located at 8306 River View Road (copy referred to county engineer and county planner).

13. ADJOURNMENT

MOTION, passed

On motion by Mr. Peterson, seconded by Mr. Steen and all in favor, the meeting was adjourned at 4:37 PM.

ATTEST:

APPROVED:

Michael Montplaisir – Auditor
Cass County, North Dakota

Mary Scherling, Chairwoman
Cass County Board of Commissioners