Official Proceedings of the Stutsman County Commission

February 15, 2011

At 8:00 a.m., Chairman Klose called the mid month meeting of the Stutsman County Commission to order. Dennis Ova, Dale Marks, David Schwartz, Craig Neys and Mark T. Klose answered roll call.

Ova made a motion seconded by Neys to approve the Beer License Application and Special Event Permit for Cork and Barrel, Inc at the Masonic Lodge in Bloom Township. Motion carried.

Neys made a motion seconded by Schwartz to approve the newsletter committee member change from Diane Nygaard to Deb Hatlewick. Motion carried.

Johnson reported that the fraud prevention, gifts and ethics policy had been reviewed by the state auditors and had been approved. Ova made a motion to adopt the fraud prevention, gifts and ethics policy for the county. Schwartz seconded the motion. Roll call vote – Ova, Marks, Schwartz, Neys and Klose voted aye.

Johnson reviewed the changes to the fixed asset policy for the county. Changes being made were to change the life of buildings from 50 to a range of 10 – 50 years and to change the life of infrastructure from 50 years to a range of 7 – 50 years. Marks made a motion seconded by Schwartz to approve the revised fixed asset policy. Roll call vote – Marks, Schwartz, Neys, Klose and Ova voted aye.

Johnson reviewed the 2010 budget amendments and the 2010 budget comparisons. The 2010 budget amendments were as follows: Fund 16 - $8,000 to $27,400; Fund 19 - $255,000 to $275,000; Fund 21 - $10,000 to $150,000; Fund 22 - $550,000 to $970,000; Fund 24 - $5,000 to $170,000; Fund 27 - $1,600 to $3,100; Fund 31 - $4,000 to $15,000; Fund 33 - $500 to $2,400; Fund 36 - $0 to $57,000; Fund 37 - $110,000 to $136,000; Fund 43 - $16,000 to $26,000; Fund 44 - $8,000 to $13,000; Fund 49 - $100 to $3,500; Fund 54 - $100 to $21,500; Fund 57 - $500 to $9,300; Fund 63 - $0 to $74,100; Fund 64 - $0 to $380; Fund 69 - $21,000 to $446,000; Fund 71 - $30,000 to $30,400; Fund 73 - $126,000 to $129,000; and Fund 100 - $0 to $385,000. Marks made a motion seconded by Ova to approve the 2010 budget amendments. Roll call vote – Schwartz, Neys, Klose, Ova and Marks voted aye.

One bid for gravel crushing had been received from RTS Shearing. Fritz Fremgen, State's Attorney, reported that the bidders bond was in order. The bid was $4.65 per cubic yard for 3/4" maximum and $3.75 per cubic yard for 1" maximum. Marks made a motion seconded by Neys to accept the gravel crushing bid from RTS Shearing. Roll call vote – Neys, Klose, Ova, Marks and Schwartz voted aye.

Motor grader bids were opened and Fremgen reviewed and approved all bidders bonds. The bids opened were as follows: RDO Equipment Company, Bismarck, ND - 2011 JD 772G - $251,000 less trade of $76,785 for a net price of $174,215 with a 6-month unlimited 7 years/7,500 hrs optional extended warranty of $18,000, Guarantee buyback of $115,300 for motor grader only; Guarantee buyback of $117,800 for motor grader with wing; and $120,300 for motor grader and all snow equipment. Delivery 90 days from bid award; Butler Machinery Company, Fargo, ND – 2011 Cat 140M2 -$282,034 less trade of $87,500 for a net price of $194,534 with a 84 month (7-years)/7,500 hrs optional extended warranty of $13,966, Guarantee buyback of $125,000 for motor grader only; Guarantee buyback of $125,000 for motor grader with wing; and $125,000 for motor grader and all snow equipment. Delivery 20 weeks. Swanston Equipment Corporation, Fargo, ND – 2011 Volvo G946 -$241,900 less trade of $92,500 for a net price of $149,400 with one year full warranty and 7-years/8,000 hrs optional extended warranty of $26,250, Guarantee buyback of $112,000 for motor grader only; Guarantee buyback of $117,000 for motor grader with wing; and $120,000 for motor grader with all snow equipment. Delivery date unknown. Ova made a motion seconded by Neys to table the acceptance of the motor grader bid pending a bid compliance review. Motion carried.

Steve Thompson, Interstate Engineering, presented a proposal for design, construction and environmental engineering services for emergency relief projects and explained that all projects need to be bid through the Department of Transportation in order for the County to utilize DOT funding. Ova made a motion seconded by Schwartz to select Interstate Engineering for the 2010 ER projects. Roll call vote – Klose, Ova, Marks, Schwartz and Neys voted aye.

A resolution to not allow plastic (HDPE or PVC) above ground for drainage purposes in Stutsman County roads right of ways including approaches was made by Marks and seconded by Neys. Roll call vote – Ova, Marks, Schwartz, Neys and Klose voted aye.

Jim Fettig, Courthouse Maintenance Supervisor, reported that they had applied for two Court Facilities Grants and both had been approved. The first grant was for the security system to fund

panic buttons, with the total project cost of $14,517. $3,235.70 was approved through the grant as this was the amount that was directly related to the Counts - Juvenile and District Court. The LEC and Building Maintenance departments had budgeted for this project. The second grant was for a Juvenile Court wall with windows and a door to be put up in order to keep their privacy issues intact. The total cost of this project was $14,000, at a 75/25 split, our cost would be $3,425. Marks made a motion seconded by Schwartz to proceed with both projects. Roll call vote – Marks, Schwartz, Neys, Klose and Ova voted aye.

Commissioner Schwartz reviewed the cost involved with the Gavilon Grain proposal with ND DOT funding a portion of the project. The cost was pushing over $1.5 million, there were right of way issues and it would be possibly two years out. He and Commissioner Marks had met with Border States regarding the project. If they were to bypass the DOT, give up the $400,000 from DOT and thus have it none with no right of way issues, Border States could overlay the road to the north with six inches of gravel and five inches of asphalt, then take about a foot of asphalt off of County Road 40 and put about a 26 foot sluf with 4" of overlay the projected cost would be close to the original proposal from Gavilon.

Schwartz felt there were too many issues regarding the closing of the crossing to the south of Gavilon, he would also like to see traffic counts before closing the crossing. Once a crossing is closed it is closed. He would like to know if Gavilon would commit to the project. He knows what Gavilon would like but doesn't feel that the Commission can commit to it at this point.

Ova questioned if they could close the crossing for an extended time if that would be an option. If the truck traffic gets to heavy maybe empty trucks could be run one direction.

Rich Welding, Gavilon Grain Manager, said that the grain side averages throughout the year 50 trucks per day and up to 250 trucks during the heavy times. Estimates could be 100 trucks for dry fertilizer and 50 trucks for liquid fertilizer. Schwartz said that it looks like up to 300 trucks could be expected on County Road 40. With that number of trucks could be looking at safety issues.

Dale Diede, resident along County Road 40, asked what percent of the trucks were coming from other elevators without rail access. Welding felt it was less than 10 percent. Diede said that logistically having two avenues of approach to their facility would be a benefit to them.

Klose asked how many frequent would there be trains across the crossing, would it be feasible to have warning or flashing lights warning traffic to take another route. Welding said that on the grain side it would be about an hour per train. Mark Dooley, Gavilon Fertilizer, said until the track configuration was laid out would not have a definite timeframe. He said that it could be up to two days at a time.
Steve Thompson, Interstate Engineering, recommended taking it off the major collection system.

Klose stated that there were too many unknowns on both sides, for the Commission and for Gavilon. Marks said that if they follow the plan with Border States it could get done this year. Klose said following the DOT plan it would cost the County $500,000 to get $400,000. It doesn't pay. Schwartz asked the cost of the bid specs for the engineering standpoint. Thompson said that one estimate for the boring for an analysis was $3,500. He said to do both the design and construction engineering for the roadway on an hourly basis with a not to exceed of 10 ½ percent of contractors bid amount.

Gavilon would contact the Commission if they were still committed to the project.

Susan Diede wondered if there would be a traffic count done, that two roads had to be better than one.

Klose said that the Commission would wait to hear to hear from Gavilon before making a final decision.

Ova made a motion seconded by Schwartz to pay $82.50 in taxable meals. Roll call vote – Schwartz, Neys, Klose, Ova and Marks voted aye.

Marks presented information of the library proposal involving the requirements for public hearings and the purchase of the Essentia site. The item would be scheduled for the next commission meeting.

Mickey Nenow, County Highway Superintendent, requested the approval of the rates charged for road department services for the coming year. Schwartz made a motion seconded by Marks to approve the rate increases. Motion carried.

Ova made a motion seconded by Schwartz to pay the mid month bills. Roll call vote – Neys, Klose, Ova, Marks and Schwartz voted aye.

Fund	Warrant No	Amount	Vendor Name
GENERAL			
	0054392	69.40	ALLTEL
	0054394	43.15	BEHM/DENNIS
	0054398	60.00	BOILER INSPECTION PROGRAM
	0054401	221.54	CALUMET PHOTOGRAPHIC
	0054405	28.36	CLEMENS/BRIAN
	0054412	10.00	DALE/STEVE
	0054413	15.00	DAUER'S TROPHIES
	0054415	86.70	DICK/TIFFINEY
	0054416	102.00	DOLL/DORA L
	0054417	70.00	DOUBLEWOOD INN
	0054418	22.75	EAGLESON/FRED
	0054419	50.80	EDINGER/GARY
	0054420	40.60	EKREN/DEAN
	0054421	36.52	ELHARD/TIMOTHY
	0054422	42.64	ERICKSON/STEVE
	0054425	45.70	FLETCHER/DANA
	0054426	51.82	FREIER/GREG
	0054427	71.20	GOTTFRIED/MARVIN
	0054429	234.44	HAROLDSON'S A & B BUSINESS
	0054430	45.70	HEINRICH/GENE
	0054438	1,431.09	JAMESTOWN SUN
	0054442	27.34	KOEHN/KEVIN
	0054443	97.50	KROPP LAW OFFICES PC
	0054445	1,019.82	M D U
	0054447	34.48	MARTIN/LUANN
	0054450	14,215.00	N D ASSOCIATION OF COUNTIES
	0054452	75.00	N D COUNTY AUDITOR'S ASSOCIATION
	0054453	5.00	N D DEPT OF TRANSPORTATION
	0054454	2,174.47	N D SECRECTARY OF STATE
	0054458	360.85	OFFICELAND
	0054459	40.60	OPP/JARED P
	0054460	3,328.64	OTTER TAIL POWER CO
	0054464	15.00	PRESS ROOM/THE
	0054466	59.95	QUILL CORPORATION
	0054468	25.30	ROEMMICH/MARIAN
	0054469	27.34	SCHEAFFER/CLIFTON
	0054470	40.60	SCHULZ/ANN
	0054471	150.00	SHEYENNE JAMES RC&D
	0054472	45.70	SOUPIR/DAVID
	0054475	15.10	SUKO/MARK A
	0054476	200.43	TDS METROCOM
	0054478	438.50	THOMPSON PUBLISHING GROUP
	0054479	40.00	TRAUTMAN/RUSSELL
	0054483	35.50	VIGESAA/MYRON
	0054485	51.00	VOLK/TODD
	0054488	10.00	WOLFF/CLAYTON
		25,312.53	Final Total
911 EMERGENCY PHONE SYSTEM			
	0054408	441.00	DAKOTA CENTRAL TELECOMMUNICATIONS
	0054409	146.52	DAKOTA CENTRAL TELECOMMUNICATIONS JMTN
	0054435	180.00	JAMES VALLEY CAREER & TECHNOLOGY CENTER
	0054450	2,697.35	N D ASSOCIATION OF COUNTIES
	0054458	40.33	OFFICELAND
	0054467	1,290.00	QWEST
	0054476	9.25	TDS METROCOM
		4,804.45	Final Total
ROAD FUNDS			
	0054393	305.36	AMERIPRIDE LINEN & APPAREL
	0054395	207.90	BEST WESTERN DOUBLEWOOD INN
	0054396	245.00	BILL'S DOZER SERVICE
	0054400	2,532.18	BUTLER MACHINERY CO
	0054402	203.63	CARQUEST AUTO PARTS
	0054406	754.69	CNH CAPITAL
	0054409	161.95	DAKOTA CENTRAL TELECOMMUNICATIONS JMTN
	0054410	24.91	DAKOTA SANITATION
	0054411	6.00	DAKOTA VALLEY ELECTRIC
	0054423	5,119.10	FARMERS UNION OIL CO-CENEX
	0054424	117.37	FASTENAL CO
	0054428	94.35	GRUENSTEIN/LARRY
	0054437	10.44	JAMESTOWN IMPLEMENT
	0054438	343.20	JAMESTOWN SUN
	0054440	7,488.58	JOB SERVICE NORTH DAKOTA
	0054445	1,912.21	M D U
	0054446	411.00	MAC'S INC
	0054448	14.15	MEDINA CITY AUDITOR
	0054449	245.79	N A P A AUTO PARTS
	0054457	99.90	NORTHWEST TIRE INC
	0054460	628.57	OTTER TAIL POWER CO
	0054462	2,445.61	POWER PLAN
	0054463	147.52	PRAXAIR DISTRIBUTION INC
	0054465	142.38	QUALITY SERVICE & REPAIR
	0054473	2,572.00	STREETER COOP OIL
	0054476	27.91	TDS METROCOM
	0054480	17.99	TRUE VALUE HARDWARE

	0054482	127.03	VERIZON WIRELESS
	0054484	2,537.18	VINING OIL CO.
	0054486	195.83	WALLWORK INC/W W
	0054487	94.10	WEST END HIDE & FUR
	0054489	3,004.97	WOODWORTH FARMERS ELEVATOR CO
	0054490	1,620.75	YPSILANTI EQUITY ELEVATOR
		33,859.55	Final Total
SOCIAL SERVICES			
		642.84	Final Total
COUNTY PARK			
	0054392	91.24	ALLTEL
	0054440	2,255.45	JOB SERVICE NORTH DAKOTA
	0054467	127.87	QWEST
		2,474.56	Final Total
EMERGENCY			
	0054397	2,003.72	BLOOMENFIELD TOWNSHIP #4
	0054404	830.49	CHICAGO TOWNSHIP #7
	0054434	7,887.20	INTERSTATE ENGINEERING
	0054439	2,988.99	JIM RIVER VALLEY TOWNSHIP #27
	0054444	1,534.90	LENTON TOWNSHIP #29
	0054461	4,726.32	PLAINVIEW TOWNSHIP #44
	0054491	1,649.88	YPSILANTI TOWNSHIP #64
		21,621.50	Final Total
COUNTY CORRECTIONAL CENTER			
	0054392	194.08	ALLTEL
	0054398	40.00	BOILER INSPECTION PROGRAM
	0054414	246.10	DAVIS/JAIMIE
	0054436	10,000.00	JAMESTOWN COMMUNITY CORRECTIONS
	0054441	30.00	JOHNSON/CRAIG
	0054450	350.00	N D ASSOCIATION OF COUNTIES
	0054460	5,841.58	OTTER TAIL POWER CO
	0054467	432.63	QWEST
	0054476	66.01	TDS METROCOM
		17,200.40	Final Total
WEED CONTROL			
	0054440	87.16	JOB SERVICE NORTH DAKOTA
	0054455	250.00	N D WEED CONTROL ASSN
	0054460	11.93	OTTER TAIL POWER CO
	0054474	3.08	STUTSMAN COUNTY AUDITOR
	0054476	14.52	TDS METROCOM
		366.69	Final Total
COUNTY AGENT			
	0054399	155.52	BROWER/LANCE
	0054408	112.08	DAKOTA CENTRAL TELECOMMUNICATIONS
	0054477	14.62	TDS METROCOM
		282.22	Final Total
EMPLOYEES HOSPITAL INS			
	0054431	44.35	HUGO'S 9
		44.35	Final Total
DOCUMENT PRESERVATION FUND			
	0054403	331.00	CASS COUNTY TREASURER
		331.00	Final Total
DATA PROCESSING			
	0054407	65.80	DACOTAH PAPER CO
	0054432	580.80	INFORMATION TECHNOLOGY DEPT
	0054451	2,513.75	N D ASSOCIATION OF COUNTIES RESOURCE GRP
	0054458	82.98	OFFICELAND
	0054476	14.07	TDS METROCOM
		3,257.40	Final Total
CO EXTENSION FUND			
	0054456	200.00	NDSU AG COMMUNICATION
	0054481	150.00	UNIVERSITY OF MINNESOTA
		350.00	Final Total
JOB INCENTIVE FUND			
	0054474	10,831.00	STUTSMAN COUNTY AUDITOR
		10,831.00	Final Total

Nenow also requested permission to hire Jerry Brickner as needed for FEMA work and disaster work. Marks made a motion seconded by Ova to allow Brickner to be hired as needed. Motion carried.

Neys made a motion seconded by Schwartz to adjourn. At 9:15 a.m., the mid month meeting of the Stutsman County Commission was adjourned.

ATTEST:

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Noel A. Johnson
COO / Auditor

Mark T. Klose
Commission Chairman