Official Proceedings of the Stutsman County Commission

March 20, 2007

At 4:00 p.m. the Stutsman County Commission meeting was called to order by Chairman Klose. Roll call was answered by Douglas Kaiser, Craig Neys, Dennis Ova, Dale Marks, and Mark T. Klose.

Harold Newman, President of the Newman Group, was present to answer any questions regarding his company's request for a tax exemption on the proposed ethanol plant in Spiritwood Township. Also present was Dean Anderson and Kari Ness. Commissioner Marks questioned whether or not Mr. Newman had any ideas about revenue sources for road construction or maintenance. Mr. Newman indicated there were possibilities considering the government has recognized ethanol as a new energy source. Marks made a motion that was seconded by Kaiser to grant the following exemption - 5 years at 100%, 6th year 80%, 7th year 60%, 8th year 40%, 9th year 20% and 10th year 20%. Steve Gasal commented that he had reviewed population statistics and the area's declining population was a direct reflection on local economics. The community should aggressively promote business as a way of increasing employment. This would increase the population. New employees would enhance the local economy with increases in purchases of goods and services. The taxes generated by these purchases and taxes on the employee's homes would increase revenues for schools and government. Commissioner Klose complimented Mr. Newman for his project, but indicated that government needed money to operate and it was difficult to give such large exemptions. Commissioner Neys commented on the project application that projected $80 million in net profits for the project's first year of operation. Gayne Gasal questioned the projected profits considering corn prices had doubled since the application was filed. Mr. Gasal commented that these high corn prices and taxes paid by Cargill and similar projects were examples of the benefits of these types of projects. Roll call vote on the motion - Ova - aye, Marks - aye, Kaiser - aye, Neys - nay, and Klose - nay. Motion carried.

Dick Christensen, Manager of Ypsilanti Equity Elevator, presented the elevator's request for a 5 year 100% tax exemption for a new elevator complex. Also present was Elevator Board Chairman, Duane Van Dyke. The new facility was planned in conjunction with the proposed ethanol plant. The facility will provide drying and storage facilities so corn would be available to the ethanol facility when needed not simply during the harvest season. Gayne Gasal commented that this was an example of a spin off from the Newman project. A motion was made by Ova and seconded by Kaiser to grant the 5 year 100% exemption. Roll call vote - Marks - abstain, Kaiser - aye, Neys - aye, Klose - aye, Ova - aye.

Darrel Wollan, Jamestown City Assessor, presented three abatement requests. Also present was Larell Peckham, PR of the T. R. Trowbridge Estate. Mr. Peckham was asking for a value reduction on parcel #74-4255100 from $44,800 to $20,000 for 2006 and from $42,600 to $20,000 for 2005. The City of Jamestown had recommended a reduction to $25,138 for 2006 and no reduction for 2005. Mr. Peckham indicated that the house was in the same condition today as it was in 2005. Questions were raised whether or not Mr. Peckham had the right to file an abatement for 2005 because he may not have had any right, title or interest in the property until after Mr. Trowbridge had passed away. Noel Johnson, County COO, recommended concurring with the city's recommendation for 2006 and denying the 2005 application because Mr. Peckham had no interest in the property in 2005. The Commission would reconsider the 2005 application after Johnson had an opportunity to review the law concerning a personal representative's right to file abatements. Ova made a motion that was seconded by Neys to deny the 2005 abatement application on parcel #74-4255100. Roll call vote - Kaiser, Neys, Klose, Ova and Marks all voted aye.

A motion to concur with the City of Jamestown and partially approve the 2006 abatement request on parcel #74-4255100 by reducing the true and full value from $44,800 to $25,138 was made by Kaiser and seconded by Ova. Roll call vote - Neys, Klose, Ova, Marks and Kaiser all voted aye.

Mr. Wollan presented an abatement request on parcel #74-6346150 owned by Bernard and Mary Walicski seeking a value reduction from $145,000 to $142,000 for 2005 and from $154,500 to $151,500. The request indicated that condominiums with similar square footage within the same building were assessed at the lower value. Johnson indicated that the values had been adjusted for the current and future years. Abating values for such minor differences was holding assessments to an unachievable standard. A motion to deny the abatement requests on parcel #74-6346150 was made by Neys and seconded by Kaiser. Roll call vote - Klose, Ova, Marks, Kaiser and Neys all voted aye.

Steve Thompson, Interstate Engineering, presented a construction and maintenance agreement for County Highway 38. Also present were Mike Zimmerman, County Highway Superintendent, and Jerry Brickner, County Engineer. The agreement was necessary for projects that used federal funds. A motion was made by Kaiser and seconded by Neys to enter into the agreement. Motion carried.

Mr. Thompson requested approval of a utility relocation permit for County Highway 38. An Ottertail Power pole had to be relocated off of the right of way. The pole out dated the road so the $3,150 relocation cost was the County's responsibility. Ova made a motion that was seconded by Neys to approve the permit. Roll call vote - Ova, Marks, Kaiser, Neys and Klose all voted aye.

Commissioner Marks presented comments about the need for the Commission to begin considering a comprehensive road plan that would include options to increase revenues. Current road funding revenues were far below statistical standards. A plan should be put together so increased revenues could be sought from the voters in 2008. He would be leading discussions about road issues at the annual township officers meeting. A plan should be formulated and presented to clubs, organizations, and the public to increase public awareness of road plans and revenue needs.

Ova made a motion that was seconded by Neys to approve the beer and liquor license application of Carmel Demaray, dba Windsor Bar. Motion carried.

A motion was made by Kaiser and seconded by Marks to transfer $36,000 from 19-000-6999 to 69-000-5999 for the Central Valley Health District bond payment and to amend the 2007 budgets accordingly. Roll call vote - Marks, Kaiser, Neys, Klose and Ova all voted aye.

Connie Ova, CEO JSDC, presented a request by the JSDC executive board to dismiss the lawsuit with NDC Holdings (Noble Games). David Ripley had no assets. By continuing the law suit, JSDC could risk being responsible for Ripley's court costs. A motion to dismiss the NDC Holdings lawsuit without prejudice was made by Marks and seconded by Kaiser. Roll call vote - Kaiser, Neys, Klose, Ova and Marks all voted aye.

Mrs. Ova informed the Board that the City Attorney would seek an Attorney General's Opinion as to the property tax status of JSDC.

David Smette requested that the county act as fiscal agent for a ND Parks and Recreation grant to develop a 17 mile horse trail within Arrowwood National Wildlife Refuge. The funds would mark trails, install gates and develop two trail heads. There would be no cost to the county. The county would develop the account structure and handle the reimbursed funds. The Parkhurst Horse Camp committee was coordinating the project. A motion was made by Ova and seconded by Marks to serve as fiscal agent for the grant. Roll call vote - Neys, Klose, Ova, Marks and Kaiser all voted aye.

Linda Chadduck, personnel committee, presented the contract from The Archer Company for the wage and benefit study. The State's Attorney had reviewed the contract and made the appropriate revisions. Ova made a motion that was seconded by Neys to approve the $6,000 contract with revisions. Roll call vote - Klose, Ova, Marks, Kaiser and Neys all voted aye.

A motion was made by Kaiser and seconded by Marks to pay $177.50 in taxable meals.

Commissioner Klose informed the Commission of the County possibly receiving and disbursing funds to assist the All Vets Club. A few years ago, the club had spent over $80,000 renovating their leased portion of the County's Memorial Building. The construction bills were paid directly by the Club and not run through the County. Members of the County and the Club would review the plan with the Attorney General's Gaming Division.

Ova made a motion that was seconded by Marks to pay the mid-month bills. Roll call vote - Ova, Marks, Kaiser, Neys and Klose all voted aye.

Fund	Warrant No	Amount	Vendor Name
GENERAL			
	0038015	222.60	ALLTEL
	0038021	60.00	BOILER INSPECTION PROGRAM
	0038031	50.00	COMFORT INN
	0038037	966.44	DAN'S SOOPER STOP
	0038038	37.10	DAUER'S TROPHIES
	0038051	20.20	JAMESTOWN I-94 BP
	0038055	15.74	JOHNSON/RAYMOND

		0038059	1,799.09	KROPP LAW OFFICES
		0038061	51.00	LEXISNEXIS MATTHEW BENDER
		0038062	3,234.88	M D U
		0038063	508.14	MEDTRONIC
		0038071	167.00	NORTHERN PLAINS ELECTRIC
		0038072	250.00	NORTHERN SAFE SERVICE
		0038073	94.99	OFFICELAND
		0038074	550.00	ORR"IGINALS
		0038078	245.50	PRESS ROOM/THE
		0038084	150.00	SHEYENNE JAMES RC&D
		0038085	40.00	SINCLAIR/CHARLES
		0038086	914.11	STOP & GO #431
		0038093	423.50	THOMPSON PUBLISHING GROUP
			9,800.29	Final
Total				
911 EMERGENCY PHONE SYSTEM				
		0038023	55.35	BROWN/DORINDA
		0038034	146.49	DAKOTA CENTRAL TELE. JMTN
		0038035	513.00	DAKOTA CENTRAL TELECOMMUNICATIONS
		0038066	4,251.60	N D ASSOCIATION OF COUNTIES
		0038080	1,290.96	QWEST
			6,257.40	Final
	Total			
ROAD FUNDS				
		0038016	222.47	AMERIPRIDE LINEN & APPAREL
		0038019	17,439.62	BLOOM OIL CO
		0038020	17.89	BOB'S PLUMBING & HEATING
		0038022	17,871.90	BROCK WHITE COMPANY
		0038024	57.41	BROWN'S ELECTRIC
		0038025	476.96	BUTLER MACHINERY CO
		0038026	125.82	CARQUEST AUTO PARTS
		0038028	37.00	CATCO PARTS & SERVICE
		0038035	161.92	DAKOTA CENTRAL TELECOMMUNICATIONS
		0038036	6.00	DAKOTA VALLEY ELECTRIC
		0038041	400.00	ESRI
		0038043	1,185.24	FARMERS UNION OIL CO-CENEX
		0038044	39.74	FASTENAL CO
		0038047	155.65	HOME OF ECONOMY
		0038048	222.54	HSBC BUSINESS SOLUTIONS
		0038052	95.48	JAMESTOWN IMPLEMENT
		0038053	200.40	JAMESTOWN SUN
		0038062	2,062.02	M D U

0038064 364.02
MICHAEL TODD & COMPANY NC
0038065 387.58 N A P A
AUTO PARTS
0038070 370.37 N W TIRE
INC
0038076 180.57 POWER
PLAN
0038077 258.46
PRAXAIR DISTRIBUTION INC
0038079 104.98 QUILL
CORP
0038083 150.49 SCHULZ
PLUMBING HEATING & A C
0038087 1,634.75
STREETER COOP OIL
0038090 16.26
STUTSMAN COUNTY ROAD DEPT
0038091 1,156.28
SWANSTON EQUIPMENT CO.
0038095 117.67
VERIZON WIRELESS
0038098 747.30 VINING
OIL CO.
0038099 417.99
WALLWORK INC/W W
0038101 147.97 WEST
END HIDE & FUR

46,832.75 Final Total
REGIONAL CHILD SUPPORT ENFORCEMENT UNIT
4.80 Final
Total
SOCIAL SERVICES
396.44 Final
Total
COUNTY PARK
0038015 32.87 ALLTEL
0038080 120.59 QWEST
0038100 366.92 WASTE
MANAGEMENT OF ND
520.38
Final Total
COUNTY CORRECTIONAL CENTER
0038015 112.29 ALLTEL
0038021 40.00 BOILER
INSPECTION PROGRAM
0038062 2,625.97 M D U
0038073 11.96
OFFICELAND
0038080 164.00 QWEST

2,954.22 Final Total
WEED CONTROL
0038015 43.47 ALLTEL
0038040 78.72
DEUTSCHER/DAVID
0038053 32.00
JAMESTOWN SUN
0038058 82.00
KLOSE/MARK
0038060 20.50
LEES/KIM
0038075 24.34 OTTER
TAIL POWER CO
0038081 3.69
REIMERS/DALE
0038088 68.55
STUTSMAN COUNTY AUDITOR

353.27 Final Total
EMPLOYEES HOSPITAL INS
0038030 35.00
CENTRAL VALLEY HEALTH

35.00

Final Total

LIBRARY FUND

0038015 22.25 ALLTEL
0038017 224.48 BAKER
& TAYLOR BOOKS
0038032 302.03
CROSSROADS REPAIR LLC
0038035 49.95 DAKOTA
CENTRAL TELECOMMUNICATIONS
0038039 170.06 DEMCO
0038042 189.94
FARMERS UNION OIL CO-CENEX
0038045 50.00
GUTHMILLER/THELMA
0038046 24.60
HEINLE/KATHRYN E
0038054 59.22
JENSEN/AGNES
0038056 24.60
JORGENSON/LA RAE
0038062 351.43 M D U
0038067 20.00 N D
LIBRARY ASSOCIATION
0038069 638.72 N D
STATE LIBRARY
0038075 202.17 OTTER
TAIL POWER CO
0038080 74.40 QWEST
0038094 1,000.00 TOUCH
OF CLASS AUTO BODY
0038097 20.50
VIGESAA/VERNON
0038102 50.00
ZACHRISON/JEAN

3,474.35 Final Total

DRUG PROGRAM

175.00 Final

Total

DOCUMENT PRESERVATION FUND

0038027 462.00 CASS
COUNTY TREASURER

462.00

Final Total

DATA PROCESSING

0038029 331.28 CDW
GOVERNMENT
0038033 121.98
DACOTAH PAPER CO
0038050 500.00
INFORMATION TECHNOLOGY DEPT

953.26

Final Total

CO EXTENSION FUND

0038049 348.79 HUGO'S 9
0038068 153.00 N D S U
EXTENSION SERVICE
0038082 7.49
SAHR/EUNICE
0038089 6.75
STUTSMAN COUNTY CORRECTIONAL CENTER

516.03 Final Total

A motion to adjourn was made by Kaiser and seconded by Ova. At 5:29 p.m. the March 20, 2007 Stutsman County Commission meeting was adjourned.

ATTEST:

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Noel A. Johnson
County COO (Auditor)

Mark Klose
Commission Chairman