Official Proceedings of the Stutsman County Commission

April 5, 2011

At 4:00 p.m., Chairman Klose called the regular 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 Marks to approve the minutes of the March 2011 meetings. Motion carried.

Jerry Bergquist, 9-1-1 Coordinator/Emergency Manager, recommended that the County make an Emergency Declaration. Water on roads and roads under water were being reported. The Auditor's Office was in the process of contacting all of the townships to get locations of roads under water or roads on the verge of going under water. This information would be posted on the County's web site. Declaring an emergency would be the first step in qualifying the road repairs for possible reimbursement pending a Presidential Disaster Declaration. Ova made a motion seconded by Schwartz to approve the emergency declaration. Roll call vote – Ova, Marks, Schwartz, Neys and Klose voted aye.

Motor grader bids (for motor grader w/snow wing) were opened as follows: RDO Equipment Company, Bismarck, ND – new 2011 JD 772G – net price of $243,000, optional extended warranty - $18,000, guarantee buyback of motor grader only - $115,300, guarantee buyback of motor grader with snow wing - $117,800, estimated delivery date 120 days; Swanston Equipment Corp, Fargo, ND – new 2011 Volvo G946 – net price of $225,175, optional extended warranty - $26,250, guarantee buyback of motor grader only - $112,000, guarantee buyback of motor grader with snow wing - $117,000, estimated delivery date 120 days; Butler Machinery Company, Fargo, ND – new 2011 Cat 140M AWD – net price of $256,633, optional extended warranty - $13,966, guarantee buyback of motor grader only - $125,000, guarantee buyback of motor grader with snow wing - $125,000, estimated delivery date 20 weeks; Butler Machinery Company, Fargo, ND – Used 2011 Cat 140M AWD with 370 hours – net price $261,899 (includes extended warranty), guarantee buyback of motor grader only $125,000, guarantee buyback of motor grader with snow wing - $125,000, estimated delivery date 6 weeks. The bids were taken under advisement for review until the next meeting.

The hearing was held on the request to close the following section lines in Round Top Township: the one mile of section line between the S½ Section 11 and N½ Section 14; the one mile of section line between the E½ Section 10 and the W½ Section 11 and the one mile of section line between the S½ Section 10 and N½ Section 15 T142N R66W. The petitioner was unable to attend the meeting. No one appeared in opposition to the closing. Schwartz made a motion seconded by Neys to close the section lines. Roll call vote – Marks, Schwartz, Neys, Klose and Ova voted aye.

Commissioner Marks as a member of the James River Valley Library System Board commented that the request to authorize the purchase of a property for a new library was mute because the City had turned down the request. The purchase required approval by both Boards. Because the item was on the agenda, Commissioner Marks made a motion requesting approval of the Commission to authorize purchase of land for a proposed new library. The motion died for lack of a second.

Lindsey Larson, JSDC Marketing/Business Development Specialist, requested concurrence with the JSDC Board of Directors to authorize $8,500 on an 80/20 City/County split to continue the Jamestown College Intern program through 2011. The interns would assist JSDC in all areas. The students would be paid $10 per hour for up to 20 hours per week. Neys made a motion seconded by Schwartz to approve $1,700 in County funds. Roll call vote – Schwartz, Neys, Klose, Ova and Marks voted aye.

Ms. Larson presented a $12,000 request to fund a service agreement with the I.D.E.A. Center of Bismarck. The Center would help guide JSDC through the process of designing and implementing a business incubator. A business incubator provides access expertise to various services, assistance and coaching for local businesses. The $12.000 request would be funded 80/20 City/County. Marks made a motion seconded by Ova to approve $2,400 in County funds. Roll call vote – Neys, Klose, Ova, Marks and Schwartz voted aye.

Connie Ova, CEO-JSDC, presented a request by Allen Enterprises, Inc for a Flex PACE interest buy-down for an expansion of Infinity Building Services. The funding was a $100,000 Community Share (JSDC) Bank of ND Flex PACE interest buy-down and a Bank of ND $200,000 interest buy-down grant for a total buy down incentive of up to $300,000. The Community interest buy down dollars were 0% loan which will be paid back to JSDC once the underlying loan to BND is repaid. The proposal had "claw-back" provisions and a personal guarantee. Questions were raised regarding JSDC policies and procedures that prohibited this type of funding for retail business. If the funding provided no unfair advantage to the beneficiary, funding to a retail business was not prohibited. Any business could apply for similar funding. JSDC policies and procedures were in the process of being changed to address this specific issue. This funding had been used for retail business occasionally. Ova made a

motion seconded by Schwartz to approve the request. Roll call vote – Klose, Ova, Marks, Schwartz and Neys voted aye.

Ova made a motion seconded by Neys to authorize signing the utility relocation agreement with Stutsman County Rural Water Users for the County Highway 67 south realignment (CER 4717(068)) at a cost of $59,400. 80% of the cost would be eligible for Emergency Relief reimbursement. Roll call vote – Ova, Marks, Schwartz, Neys and Klose voted aye.

A motion was made by Schwartz seconded by Marks to request assistance from the ND Highway Patrol to enforce weight restrictions in Stutsman County. Motion carried.

Mickey Nenow, County Highway Superintendent, presented two bills for final payment of the 2009 small Emergency Relief (ER) projects. Neys made a motion seconded by Marks to pay Guthmiller Construction $476.40 and Clifford Stewart Construction $5,888.20. Roll call vote – Marks, Schwartz, Neys, Klose and Ova voted aye.

Nenow requested adjusting the pay grades for two employees. Jim Bredahl had been promoted to a foreman position and Bill Birrenkott was not in the proper pay grade for his foreman position. Schwartz made a motion seconded by Marks to place both positions at a grade 10, step 9. Motion carried.

Nenow reported that at least 5 County roads would be or already are under water.

Fritz Fremgen, State's Attorney, gave his monthly report. A member of his staff had consented to coordinate and administer Title VI to comply with Federal Highway regulations. Compliance was required or the County would jeopardize eligibility for Federal reimbursement on road projects. Ova made a motion seconded by Schwartz to add Title VI compliance duties to Assistant State's Attorney Ashley Heitkamp's duties at an annual salary of $3,130. Roll call vote – Schwartz, Neys, Klose, Ova and Marks voted aye.

Fremgen reported that the Margo Haut appeal was now in the hands of the North Dakota Insurance Reserve Attorneys.

Tracey Trapp, Law Enforcement Center Administrator, requested donated leave for Nancy Lies, a 16 year, so she could attend to a medical issue in her family. Marks made a motion seconded by Schwartz to allow donated leave. Motion carried.

At 5:09 p.m., the Commission meeting was recessed for the Park Board meeting.

Stutsman County Park Board Meeting

April 5, 2011

At 5:14 p.m. Chairman Klose called the Stutsman County Park Board meeting to order. Park Board members present were Dennis Ova, Dale Marks, David Schwartz, Craig Neys, Mark Klose and Bob Woodward. Mark Schlecht was absent.

Marks made a motion seconded by Woodward to approve the December 2010 minutes. Motion carried.

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

Fund	Warrant No	Amount	Vendor Name
COUNTY PARK			
	0054858	50.88	CARQUEST AUTO PARTS
	0054911	100.03	JAMESTOWN SUN
	0054951	536.62	NORTHERN PLAINS ELECTRIC
	0054972	178.97	QWEST
	0054998	74.00	STUTSMAN RURAL WATER DISTRICT
		940.50	Final Total

Jack Uehran requested a transfer of his lease with the Park Board for the campground at Spiritwood Lake City to Ken Goetz. There were 8 years remaining on the lease. He offered to donate all of the hook-ups (sewer, water & electric) to the Park Board. The Board would review the proposals after his attorney had prepared the proper documents.

Neys made a motion seconded by Woodward to approve the 5 boat dock permits and set the fee at $150 per year. Motion carried.

Dennis Lorenz, County Park Superintendent, reported on a parking lot light that had been installed at Lake Side Marina. The light would benefit the fishing dock and the boat ramp. The Park Board would pick up the $16 per month cost.

Lorenz was working with ND Game & Fish to install a high water boat ramp at Jim River Bay. $18,000 had been committed from ND Game & Fish and $7,500 from the Dakota Anglers. A Garrison Diversion grant application for the remaining $6,281 was pending. Plans were to install the ramp this fall if all the funding comes through. There would the no cost to the Park Board.

The cabins at Pelican Point would possibly need to be moved depending on water levels at the Reservoir.

A motion was made by Ova seconded by Woodward to adjourn. At 5:36 the meeting was adjourned

At 5:37 the regular Commission meeting was called back to order with all Commissioners present.

Schwartz made a motion seconded by Neys to approve the raffle permit applications of Stutsman County 4-H and Birthdays Never Grow Old Relay for Life Team. Motion carried.

Noel Johnson, County COO, reviewed two options for County General Government. The first option would be to continue business as usual with 3 full time employees in the Recorder's Office and 2 full-time plus 1 part-time employee in the Treasurer's Office. The second option would appoint a General Government Coordinator whose main responsibility would be to coordinate job sharing among the main floor General Government Departments. Questions and concerns were raised regarding the need to modify job descriptions for the individuals involved. Chairman Klose commented that he thought it was a good time to take a look at the flexibility of different options.

Judy Graves commented that the Home Rule Charter required the Commission to fill the offices of County Treasurer and County Recorder. She expressed concerns over the public having a chance to review and comment on the proposed options. She questioned the need for a General Government Coordinator. She was concerned over the potential reduction in staff. Commissioner Schwartz indicated that the only opportunity to try and change was now when there were vacancies in the department head positions. The County could revert to option one if things did not work out.

Brenda Rasmussen, part-time Treasurer's Office employee, commented that moving people into other officers had not always worked. At times, the individuals backing up the Treasurer's Office had other work and/or they were not available when needed. Karen Samek, former Recorder, commented that it takes 3 years to get trained on all of the responsibilities in the Recorders Office. People would need to be trained before they could assist. Judy Graves commented that the Auditor, Treasurer and Recorder each had very distinctive duties. Karen Samek indicated that both Jacki Lindell and Jamie Anderson-Ruff had been thoroughly trained in all the duties of the Treasurer and Recorder respectively.

Marks made a motion seconded by Schwartz to advertise for a General Government Coordinator, Treasurer and Recorder. Motion carried.

A motion was made by Ova seconded by Marks to pay the monthly bills. Roll call vote – Ova, Marks, Schwartz, Neys and Klose voted aye.

Fund	Warrant No	Amount	Vendor Name
GENERAL			
	0054837	205.02	ALLTEL
	0054840	107.10	ANDERSON-RUFF/JAMIE
	0054848	39.28	BROWN & SAENGER
	0054857	657.00	CARPENTER LAW OFFICES
	0054858	5.49	CARQUEST AUTO PARTS
	0054860	1,410.40	CENEX CREDIT CARD
	0054861	35.66	CHADDUCK/LINDA
	0054862	665.12	CITY OF JAMESTOWN
	0054870	539.52	DACOTAH PAPER CO
	0054878	43.04	DICK/TIFFINEY
	0054879	50.80	DOCKTER/CHRISTINA
	0054891	102.00	FREMGEN/FRITZ
	0054893	474.97	GRAYBAR
	0054897	163.95	HAROLDSON'S A & B BUSINESS
	0054904	366.76	INSIGHT PUBLIC SECTOR
	0054905	230.00	INSTITUTE OF LOCAL GOVT
	0054907	47.00	J & L SERVICE
	0054908	1,250.00	JAMESTOWN AMBULANCE
	0054909	1,000.77	JAMESTOWN I-94 CLARK
	0054911	2,219.59	JAMESTOWN SUN
	0054914	159.46	JETSTREAM CAR WASH
	0054915	5.55	KAISER/CHAD
	0054924	35.70	LEFEVRE/TROY
	0054926	53.46	LEXISNEXIS MATTHEW BENDER
	0054927	107.10	LINDELL/JACKI

	0054928	2,814.30	M D U
	0054929	32.57	MAC'S INC
	0054934	790.00	MEDINA AMBULANCE SERVICE
	0054935	482.25	MID-AMERICAN RESEARCH CHEMICAL CORP
	0054936	72.00	MIDWEST MANAGEMENT
	0054945	316.80	N D ASSOC. OF COUNTIES RESOURCE GRP
	0054950	354.50	NETWORK CENTER COMMUNICATIONS
	0054952	278.38	NORTHERN SAFETY TECHNOLOGY INC
	0054954	65.80	NORTHWEST TIRE INC
	0054958	49.20	OFFICELAND
	0054961	3,018.21	OTTER TAIL POWER CO
	0054962	482.50	OTTMAR & OTTMAR
	0054968	70.00	PRAIRIE COOPERATIVE
	0054969	30.00	PRESS ROOM/THE
	0054972	761.82	QWEST
	0054973	195.30	RADISSON INN
	0054974	7.14	RASMUSSEN/BRENDA
	0054977	90.48	RELIABLE OFFICE SUPPLIES
	0054983	367.50	SANDNESS LAW OFFICE
	0054984	223.09	SCHUBERT'S CARPET ONE
	0054985	654.56	SCHWARTZ/DAVID
	0054986	49.99	SEARS COMMERICAL ONE
	0054993	129.00	STREICHER'S
	0055001	161.89	TDS METROCOM
	0055004	2.52	TRUE VALUE HARDWARE
	0055005	140.00	TWO RIVERS PRINTING
	0055006	25.00	U N D
	0055008	572.55	VERIZON WIRELESS
	0055016	476.28	WEST GROUP PAYMENT CENTER
	0055017	31.12	WICK/CANDYCE
	0055020	36.99	5 STAR EXPRESS LUBE
		22,756.48	Final Total
RESTORATIVE JUSTICE FUND			
		72.00	Final Total
911 EMERGENCY PHONE SYSTEM			
	0054851	12,100.00	BULLBERRY SYSTEMS INC
	0054865	126.00	COMFORT INN
	0054871	369.00	DAKOTA CENTRAL TELECOMMUNICATIONS
	0055001	5.55	TDS METROCOM
		12,600.55	Final Total
ROAD FUNDS			
	0054839	148.50	AMERIPRIDE LINEN & APPAREL
	0054841	212.16	ANDERSON/CHARLES
	0054842	98.75	ARNESON INC
	0054848	27.33	BROWN & SAENGER
	0054849	33.25	BUFFALO CITY DIESEL
	0054853	779.08	BUSKNESS/JOHN O
	0054854	482.26	BUTLER MACHINERY CO
	0054858	145.67	CARQUEST AUTO PARTS
	0054862	11.50	CITY OF JAMESTOWN
	0054869	272.67	CREATIVE ENERGY
	0054872	164.38	DAKOTA CENTRAL TELECOMMUNICATIONS
	0054873	25.42	DAKOTA SANITATION
	0054884	77.22	EQUIPMENT DIST
	0054887	193.61	FARGO TRAILER CENTER
	0054889	24.07	FASTENAL CO
	0054894	242.25	GRUENSTEIN/LARRY
	0054902	20.72	HOME OF ECONOMY
	0054906	3,646.22	INTERSTATE ENGINEERING
	0054910	340.61	JAMESTOWN IMPLEMENT
	0054919	409.02	KOBLE/RON
	0054920	163.20	KOLLMAN/LLOYD
	0054922	176.36	LAWSON PRODUCTS INC
	0054928	1,888.00	M D U
	0054929	60.63	MAC'S INC
	0054931	70.00	MARGIE HANDY WORK
	0054942	315.07	N A P A AUTO PARTS
	0054943	964.50	N D ASSOCIATION OF COUNTIES
	0054951	62.00	NORTHERN PLAINS ELECTRIC
	0054953	250.90	NORTHWEST TIRE INC
	0054956	7.97	O'REILLY AUTOMOTIVE INC.
	0054961	446.11	OTTER TAIL POWER CO
	0054967	740.09	POWER PLAN
	0054971	395.77	QUALITY SERVICE & REPAIR
	0054990	8,235.00	SPIRITWOOD TOWNSHIP #51
	0054992	2,435.00	STREETER COOP OIL
	0054999	37.41	SWANSTON EQUIPMENT CO.
	0055005	366.00	TWO RIVERS PRINTING
	0055008	127.03	VERIZON WIRELESS
	0055009	4,079.97	VINING OIL CO.
	0055012	398.03	WALLWORK INC/W W
	0055015	240.69	WALMART COMMUNITY BRC
	0055018	3,309.38	WOODWORTH FARMERS ELEVATOR CO
		32,123.80	Final Total
UNORGANIZED TOWNSHIP ROADS			

	0054895	3,330.00	GUTHMILLER EARTHMOVING,INC
		3,330.00	Final Total
SOCIAL SERVICES			
		24,916.75	Final Total
EMERGENCY			
	0054906	13,216.87	INTERSTATE ENGINEERING
	0054918	33,866.00	KNECHT/ANNETTA JERKE
	0054947	1,814.46	N D DEPT OF TRANSPORTATION
	0055015	46.85	WALMART COMMUNITY BRC
		48,944.18	Final Total
COUNTY CORRECTIONAL CENTER			
	0054836	129.35	A & B BUSINESS INC
	0054837	194.08	ALLTEL
	0054838	65.00	AMERICAN RED CROSS
	0054843	280.00	ATTORNEY GENERAL OFFICE
	0054845	1,092.39	BOB BARKER CO
	0054846	3,852.68	BOB'S PLUMBING & HEATING INC
	0054848	476.56	BROWN & SAENGER
	0054862	1,810.94	CITY OF JAMESTOWN
	0054863	854.10	COLE PAPERS INC
	0054867	4.40	COUNTY MARKET
	0054870	1,538.47	DACOTAH PAPER CO
	0054876	2,580.71	DEAN FOODS NC, INC
	0054882	113.30	ECOLAB PEST ELIMINATION DIV
	0054885	500.00	ESSENTIA HEALTH
	0054888	946.52	FARMER BROTHERS COFFEE
	0054889	26.78	FASTENAL CO
	0054893	65.76	GRAYBAR
	0054900	283.45	HOBART SERVICE
	0054901	122.85	HOME OF ECONOMY
	0054903	414.00	INNOVIS HEALTH
	0054907	34.66	J & L SERVICE
	0054914	669.86	JETSTREAM CAR WASH
	0054928	2,331.59	M D U
	0054929	21.29	MAC'S INC
	0054935	102.00	MID-AMERICAN RESEARCH CHEMICAL CORP
	0054950	354.50	NETWORK CENTER COMMUNICATIONS
	0054953	65.80	NORTHWEST TIRE INC
	0054955	791.00	NOVA FIRE PROTECTION, LLC
	0054961	5,126.86	OTTER TAIL POWER CO
	0054963	711.59	PAN-O-GOLD BAKING CO.
	0054966	724.31	PLUMBMASTER
	0054970	4.67	PROBUILD
	0054972	390.81	QWEST
	0054976	108.00	REDWOOD TOXICOLOGY LABORATORY,INC
	0054987	208.27	SKEEL'S PAINTING & DECORATING
	0054991	47.64	STOUDT INC/R M
	0054996	44.00	STUTSMAN COUNTY CORRECTIONAL CENTER
	0054997	51.50	STUTSMAN COUNTY CORRECTIONAL CENTER
	0055000	8,319.64	SYSCO FOOD SERVICES OF ND
	0055001	60.78	TDS METROCOM
	0055003	325.89	THRIFTY DRUG-WHITE DRUG
	0055004	8.05	TRUE VALUE HARDWARE
	0055007	6,623.38	U S FOOD SERVICE INC
	0055010	177.40	VISA LEC
	0055014	24.80	WALMART COMMUNITY BRC
		42,679.63	Final Total
WEED CONTROL			
	0054837	106.26	ALLTEL
	0054877	97.92	DEUTSCHER/DAVID
	0054923	25.50	LEES/KIM
	0054930	65.00	MANSON/RONALD
	0054961	15.22	OTTER TAIL POWER CO
	0054972	8.10	QWEST
	0054994	7.79	STUTSMAN COUNTY AUDITOR
	0055001	1.79	TDS METROCOM
		327.58	Final Total
VETERANS SERVICE			
	0054972	16.21	QWEST
	0055001	6.66	TDS METROCOM
		22.87	Final Total
COUNTY AGENT			
	0054898	50.00	HATLEWICK/DEBRA
	0054912	160.65	JAMESTOWN SUN
		210.65	Final Total
EMPLOYEES HOSPITAL INS			
	0054948	93,645.90	N D P E R S
		93,645.90	Final Total
TAX REFUND			
	0054874	288.99	DAME/GARY & SANDRA
	0054925	115.04	LETCHER/NEAL & TERRI
	0054938	455.72	MIKULA/PETER & BRENDA
		859.75	Final Total
COMMISSARY			
	0054856	47.31	CABLE SERVICES

	0054875	402.92	DCR DISTRIBUTORS
	0054890	471.06	FRANK MCKONE CANDY CO
	0054892	779.32	FRITO LAY
	0054916	880.80	KEEFE COFFE & SUPPLY
	0054932	1,740.08	MAXIMA SUPPLY LLC
	0054964	1,411.69	PEPSIAMERICAS
	0054965	480.00	PIZZA CORNER FROZEN PIZZA
	0054978	3,800.00	RELIANCE INMATE SYSTEMS INC.
	0054997	1,594.34	STUTSMAN COUNTY CORRECTIONAL CENTER
	0055014	386.72	WALMART COMMUNITY BRC
	0055016	175.50	WEST GROUP PAYMENT CENTER
		12,169.74	Final Total
DRUG PROGRAM			
		103.02	Final Total
COUNTY CORRECTIONAL CENTER CONST.			
	0054883	4,319.07	ELECTRO WATCHMAN, INC
	0054989	14,705.84	SMITTY'S CARPET SHOP, INC
		19,024.91	Final Total
COUNTY HAZARDOUS CHEMICAL ACCOUNT			
	0055005	1,200.00	TWO RIVERS PRINTING
		1,200.00	Final Total
DATA PROCESSING			
	0054859	794.28	CDW GOVERNMENT
	0054866	2,578.00	COMPUTER PROFESSIONAL,ULTD,INC
	0054868	695.98	CPS TECHNOLOGY SOLUTIONS
	0054897	91.63	HAROLDSON'S A & B BUSINESS
	0054899	37.50	HIGH PLAINS TECHNOLOGY
	0054972	16.21	QWEST
	0054979	45.00	RENAISSANCE RECYCLING
	0054988	61.20	SMAAGE/JOSH
	0055001	6.35	TDS METROCOM
		4,326.15	Final Total
CO EXTENSION FUND			
	0054937	26.95	MIDWEST PLAN SERVICE
	0054997	52.00	STUTSMAN COUNTY CORRECTIONAL CENTER
		78.95	Final Total
JOB INCENTIVE FUND			
	0054913	19,500.00	JAMESTOWN/STUTSMAN DEVELOPMENT CORP
		19,500.00	Final Total
FEMA FUNDS			
	0054980	4,075.57	ROSE TOWNSHIP #46
		4,075.57	Final Total
WAGES			
	8352-8534	423,464.93	Wages (03/25/2011)
		423,464.93	Total Wages

Schwartz made a motion seconded by Marks to proxy the County's votes for the North Dakota Insurance Reserve Fund annual meeting. Motion carried.

Marks made a motion seconded by Schwartz to send a letter of support to the ND Legislature on behalf of the Garrison Diversion Conservancy District to reinstate their funding. Motion carried.

A motion to adjourn was made by Neys seconded by Schwartz. At 6:10 p.m. the meeting was adjourned.

ATTEST:

Noel A Johnson
County COO (Auditor)

Mark T. Klose
Commission Chairman