Official Proceedings of the Stutsman County Commission

April 6, 2010

At 4:00 p.m., Chairman Klose called the regular meeting of the Stutsman County Commission to order. Dennis Ova, Dale Marks, Doug Kaiser, Craig Neys and Mark T. Klose answered roll call.

Noel Johnson, County COO, presented the resolution for ratifying an intergovernmental agreement between Great River Energy (GRE), McLean County and Stutsman County. The agreement would authorize McLean County to issue $141,000,000 in Municipal Industrial Development (MIDA) Bonds on behalf of McLean County and Stutsman County. The bonds include a maximum of $50,000,000 for the improvement of real estate located at Spiritwood Station for the construction, installation and equipping of solid waste facilities that would be part of a lignite-based power plant owned by GRE. The bonds were secured by the project. There was no risk for the Counties, and they did not reduce any of the Counties' bonding authority. A motion was made by Ova seconded by Kaiser to approve the resolution. Roll call vote – Ova, Marks, Kaiser, Neys and Klose voted aye.

Robin Iszler, Unit Administration and Coralynn Dallmann, Accountant for Central Valley Health District, presented a proposal to refinance the Central Valley Health Bond issue. Two companies had submitted refinance proposals – Dougherty & Co., LLC and Public Financial Management (PFM). PFM's proposal would save the District a net present value of $27,414.54 compared to Dougherty's projected savings of $18,962.95. Kaiser made a motion seconded by Neys to approve the resolution to refinance the bonds with PFM and to authorize the Call for Redemption of the current bonds. Roll call vote – Marks, Kaiser, Neys, Klose and Ova voted aye.

Lindsey Larson, JSDC Marketing/Business Development Specialist, presented the revised ordinance that was under consideration by the City of Jamestown for the 1% Economic Development Sales Tax. ½% of the sales tax would be dedicated for economic and jobs development. The other ½% would be dedicated to payment of the city's share of special assessments on city public works projects within the city including the current debt service for the wastewater treatment plant. The changes would be in effect until December 31, 2018.

Steve Thompson, Interstate Engineering, presented quotes for the Ypsilanti Bridge project. Marks made a motion seconded by Ova to accept the low bid ($4,045) of Western Plains Consulting, Inc. for wetlands delineation; the low bid of Beaver Creek Archaeology ($1,100) for cultural resources; and the low bid of Braun Intertec ($6,120) for boring. Roll call vote – Kaiser, Neys, Klose, Ova and Marks voted aye.

Thompson reported that a meeting was held with the NDIRT team about the possible site for mitigation acres. For the Emergency Relief (ER) projects, mitigation acres would not have to be acquired prior to the bid letting and construction. Four project concept reports had been submitted for review with a projected July bid letting.

Mike Zimmerman, County Highway Superintendent, gave his monthly report. He requested permission to rebid six ER projects. There were no bidders on these projects last fall. Neys made a motion seconded by Kaiser to rebid the projects. Motion carried.

Zimmerman reported on the road damage south of Cleveland. A replacement office assistant had been hired and last years' part time person would assist with FEMA project paperwork. Crews were currently crack sealing. A motion was made by Marks seconded by Kaiser to allow private contractors that were in good standing with the Road Department to access gravel from the County's gravel pits to finish FEMA work. Motion carried.

Jerry Bergquist, 9-1-1 Coordinator/Emergency Manager, indicated that the County was under an emergency declaration for preventative measures only. There would likely be another declaration to assist with costs for damages. Current projections for pool elevations at Pipestem Dam were 1,477 feet and 1,447 feet at the Jamestown Reservoir.

Gary Carlson, County Resident, expressed concerns over plans to recycle Old Highway #10. He commented that this was the heaviest traveled road in the county, and the current traffic was not just construction workers. After recycling, it would be difficult to keep the road in good condition with that much traffic, especially in certain weather conditions. The road brings revenue to Jamestown, more than any other county road. The Commission responded that the cost to rebuild the road was over $1million per mile.

A motion was made by Ova seconded by Neys to approve the minutes of the March meetings. Motion carried.

Fritz Fremgen, State's Attorney, gave his monthly report. He presented an opinion that a joint powers agreement between the county and townships could be used to expend revenue from a county levied property tax and/or county imposed sales tax on improvements or maintenance of a township road(s) provided the agreement was made prior to any improvements and/or maintenance. The funds could not be used to pay township debt if the debt existed prior to the agreement. He also presented a 1984 opinion from State's Attorney Charles Gilje to County Commissioner Oliver Graves concerning the County's 1972 road plan. Commissioner Graves expressed concerns that the 1972 costs of $18,000 to $23,000 per mile had increased to a point that the current 5 mill levy could not pave and maintain the 208.5 miles listed within the plan. Gilje opined that the Commission could follow the plan as a general guideline, and pave and/or maintain only those roads that the Commission deemed appropriate.

Fremgen reviewed the ballot language for the proposed 15 mill farm-to-market levy and ½% increase in the county-wide sales tax. The County's Home Rule Charter had a mill levy maximum of 115 mills. Unless the ballot language addressed increasing the cap, passage of the proposal would raise the total county mills to within 1.33 mills of the maximum. Marks made a motion seconded by Kaiser to draft language to include in the funding proposal authorization to raise the maximum mill levy from 115 mills to 130 mills. Roll call vote – Neys, Klose, Ova, Marks and Kaiser voted aye.

At 5:35 p.m. the County Commission meeting was recessed for the County Park Board meeting.

Stutsman County Park Board Meeting

April 6, 2010

At 5:40 p.m. Chairman Klose called the Stutsman County Park Board meeting to order. Park Board members present were Bob Woodward, Dennis Ova, Dale Marks, Doug Kaiser, Craig Neys and Mark T. Klose. Mark Schlecht was absent.

Woodward made a motion seconded by Ova to approve the minutes of the March 2010 meeting. Motion carried.

A motion was made by Ova seconded by Marks to approve payment of the monthly bills. Roll call vote - Woodward, Ova, Marks, Kaiser, Neys and Klose voted aye.

Fund	Warrant No	Amount	Vendor Name
COUNTY PARK			
	0050739	48.12	C H CARPENTER LUMBER CO
	0050764	1,244.50	CURTIS ELECTRIC
	0050835	10,457.19	MICHAEL J. BURNS ARCHITECTS,LTD
	0050850	433.35	NORTHERN PLAINS ELECTRIC
	0050866	84.22	QWEST
	0050879	20,000.00	SCHUMACHER CONSTRUCTION INC
		32,267.38	Final Total

Neys made a motion seconded by Woodward to approve the four 2010 Boat Dock Permits. Motion carried.

Gene Van Eckhout, Fisheries Supervisor with ND Game and Fish, requested permission to control Cormorants within the Little Britches area at the Jamestown Reservoir. The Game & Fish Department had a permit to harass and kill the Cormorants so they needed the Park Board's permission to discharge fire arms at the Reservoir. Marks made a motion seconded by Ova to allow the Game & Fish Department to discharge firearms at the Reservoir for Cormorant control. Motion carried.

Dennis Lorenz, County Park Superintendent, gave his monthly report. Estimates were being acquired for repair of the damages caused by moving the Marina. The Pelican Point concession building was progressing. Work was continuing on the rest room at the Marina campground and rural water was being installed. Ova made a motion seconded by Woodward to allow the purchase of a 350 engine from Dakota Engine Builders for replacement in the one-ton truck. Roll call vote – Ova, Marks, Kaiser, Neys, Klose and Woodward voted aye.

Lorenz indicated that the cabins at Pelican Point Landing and fish cleaning station had been moved due to the high water. Boat docks had been moved at five mile corner for lake access. The proposed boat dock at Jim River Bay had been approved – 75% funding from ND Game & Fish and 25% funding from the Dakota Anglers.

The Park Board expressed their appreciation of the continued support from the Dakota Anglers, and they expressed their appreciation for the support from the Jamestown Rural Fire Department for donating $1,600 to be used for dock maintenance.

The Board reviewed the State's Attorney opinion that a new lease for up to 20 years could be drafted for the Park Board's land and facilities at Spiritwood Lake City, but the existing lease could not be assigned.

A motion to adjourn was made by Neys seconded by Woodward. At 6:01 p.m. the April 2010 County Park Board meeting was adjourned.

At 6:02 p.m. the regular Commission meeting was called back to order with all Commissioners present.

Ova made a motion seconded by Kaiser to approve the raffle permits of the Good Samaritan Club and the Jamestown Gymnastics Club. Motion carried.

A motion was made by Neys seconded by Ova to approve the gaming site authorizations of the ND Buffalo Foundation, Inc. at Buchanan Bar, 281 Stop, Anchor Bar and Cuz'n Ron's Saloon. Motion carried.

Kaiser made a motion seconded by Neys to change the beer license for the Hitching Post from a partnership to a single applicant in the name of ShawnDell Gudmestad-Moore. Motion carried.

Johnson requested approval of an early voting precinct and an absentee precinct at the Stutsman County Courthouse for the 2010 primary and general elections. Marks made a motion seconded by Kaiser to approve the early voting and absentee precincts. Motion carried.

A motion was made by Ova seconded by Kaiser to allow payment of FEMA related bills out of the Emergency Fund. Motion carried.

Kaiser made a motion seconded by Neys to approve the monthly bills. Roll call vote – Klose, Ova, Marks, Kaiser and Neys voted aye.

Fund	Warrant No	Amount	Vendor Name
GENERAL			
	0050723	115.45	A & B BUSINESS INC
	0050725	488.95	ALLIED 100
	0050729	228.20	BIG D'S GRAPHICS & TRIM
	0050736	27.47	C H CARPENTER LUMBER CO
	0050742	213.91	CALUMET PHOTOGRAPHIC
	0050743	20.94	CARQUEST AUTO PARTS
	0050745	855.34	CENEX CREDIT CARD
	0050747	59.95	CENTRAL BUSINESS SYSTEMS, INC
	0050748	683.00	CENTRAL BUSINESS SYSTEMS, INC
	0050750	205.00	CHADDUCK/LINDA
	0050752	558.77	CITY OF JAMESTOWN
	0050755	2,910.79	COLE PAPERS INC
	0050759	360.00	CONSULTATION & PSYCHOLOGICAL
	0050766	122.75	DACOTAH PAPER CO
	0050769	125.00	DAN SMITH
	0050772	40.00	DIEDE/DALE I
	0050773	1,645.00	DKK GUARDIANSHIP SERVICES INC
	0050774	35,000.00	DRUG TASK FORCE
	0050780	7.62	FASTENAL CO
	0050783	100.00	FREMGEN/FRITZ
	0050785	178.48	GALL'S INC
	0050787	227.56	GRAYBAR
	0050788	672.00	GREAT PLAINS DIRECTORY SERVICE
	0050794	25.00	HARR/CURTIS
	0050798	213.00	HESS/KEITH
	0050804	212.33	INTAB INC
	0050806	90.00	J & L SERVICE
	0050807	1,250.00	JAMESTOWN AMBULANCE
	0050810	1,701.69	JAMESTOWN SUN
	0050814	105.00	JETSTREAM CAR WASH
	0050818	25.00	KREIL/JACK
	0050819	150.00	KROPP LAW OFFICES PC
	0050822	197.94	LEXISNEXIS MATTHEW BENDER
	0050827	1,862.86	M D U
	0050828	31.93	MAC'S INC
	0050832	213.00	MAYER/JEROME P
	0050833	790.00	MEDINA AMBULANCE SERVICE
	0050836	72.00	MIDWEST MANAGEMENT
	0050839	15.50	MORRIS/RITA R
	0050843	100.00	N D RECORDERS ASSN
	0050847	50.00	ND TREASURER'S ASSOC.
	0050850	143.00	NORTHERN PLAINS ELECTRIC
	0050851	260.57	NORTHERN SAFETY TECHNOLOGY INC
	0050854	770.81	OFFICELAND
	0050857	2,942.12	OTTER TAIL POWER CO
	0050864	10.28	PROBUILD

	0050866	777.70	QWEST
	0050877	25.00	SCHERBENSKE/GERRY L
	0050880	210.25	SCOTT'S ELECTRIC
	0050881	78.40	SMAAGE/JOSH
	0050885	15.00	SOMSEN/STEVE
	0050886	269.75	SPRINT
	0050889	372.29	STEIN'S, INC
	0050890	25.00	STIEM/JESSICA L
	0050891	179.86	STOUDT INC/R M
	0050893	52.00	STRUXNESS/VIRGINIA
	0050895	100,023.00	STUTSMAN COUNTY CORRECTIONAL CENTER
	0050898	104.08	TDS METROCOM
	0050899	30.00	THOMPSON/JAN
	0050900	9.16	TRACTOR SUPPLY CREDIT PLAN
	0050903	31.94	TRUE VALUE HARDWARE
	0050906	1,500.00	UNITED STATES POSTAL SERVICE
	0050909	29.79	VISA
	0050918	453.60	WEST GROUP PAYMENT CENTER
	0050921	19.98	5 STAR EXPRESS LUBE
		160,285.01	Final Total
RESTORATIVE JUSTICE FUND			
		72.00	Final Total
911 EMERGENCY PHONE SYSTEM			
	0050898	9.85	TDS METROCOM
		9.85	Final Total
ROAD FUNDS			
	0050726	448.00	ANDERSON/CHARLES
	0050735	4,560.75	BUTLER MACHINERY CO
	0050743	609.02	CARQUEST AUTO PARTS
	0050744	350.55	CATCO PARTS & SERVICE
	0050752	10.95	CITY OF JAMESTOWN
	0050754	255.91	CNH CAPITAL
	0050763	2,146.77	CREATIVE ENERGY
	0050779	2,625.00	FARMERS UNION OIL CO-CENEX
	0050791	329.50	GRUENSTEIN/LARRY
	0050799	79.72	HOME OF ECONOMY
	0050805	2,476.00	INTERSTATE ENGINEERING
	0050816	390.00	KOBLE/RON
	0050817	384.00	KOLLMAN/LLOYD
	0050821	346.52	LAWSON PRODUCTS INC
	0050823	507.00	LIFESTYLE APPLIANCE
	0050825	43.00	LOOSE/BILL
	0050827	1,812.95	M D U
	0050828	116.63	MAC'S INC
	0050829	70.00	MARGIE HANDY WORK
	0050834	14.15	MEDINA CITY AUDITOR
	0050840	1,028.68	N A P A AUTO PARTS
	0050850	56.00	NORTHERN PLAINS ELECTRIC
	0050852	87.77	NORTHWEST TIRE INC
	0050853	50.28	O'REILLY AUTOMOTIVE INC.
	0050854	1,460.37	OFFICELAND
	0050857	711.33	OTTER TAIL POWER CO
	0050863	233.64	PRO BUILD
	0050865	41.78	QUALITY SERVICE & REPAIR
	0050871	250.00	RICHARDSON ELECTRIC
	0050896	770.00	STUTSMAN COUNTY GLASS
	0050898	1.99	TDS METROCOM
	0050900	45.15	TRACTOR SUPPLY CREDIT PLAN
	0050902	107.84	TRUE VALUE HARDWARE
	0050904	386.44	TWO RIVERS PRINTING
	0050908	1,342.06	VINING OIL CO.
	0050910	755.41	VISA
	0050916	95.75	WASTE MANAGEMENT OF ND
		25,000.91	Final Total
SOCIAL SERVICES			
		31,565.20	Final Total
EMERGENCY			
	0050786	1,200.00	GLAESMAN MOVING
	0050826	5,306.23	LOWERY TOWNSHIP #31
	0050860	2,864.24	PETERSON TOWNSHIP #41
	0050887	3,563.96	ST PAUL TOWNSHIP #52
	0050907	7,347.98	VALLEY SPRINGS TOWNSHIP #57
	0050912	3,714.02	WADSWORTH TOWNSHIP #58
	0050919	530.40	WINFIELD TOWNSHIP #62
		24,526.83	Final Total
COUNTY CORRECTIONAL CENTER			
	0050724	117.59	A & B BUSINESS INC
	0050730	1,404.29	BOB BARKER CO
	0050737	19.78	C H CARPENTER LUMBER CO
	0050747	472.00	CENTRAL BUSINESS SYSTEMS, INC
	0050749	1,080.50	CENTRAL DAKOTA MECH INC
	0050752	1,380.43	CITY OF JAMESTOWN
	0050755	354.72	COLE PAPERS INC
	0050760	80.26	COUNTY MARKET

	0050766	2,841.58	DACOTAH PAPER CO
	0050768	94.20	DAN POLAND MACHINE INC
	0050771	2,386.20	DEAN FOODS NC, INC
	0050777	110.00	ECOLAB PEST ELIMINATION DIV
	0050778	646.38	FARMER BROTHERS COFFEE
	0050785	399.49	GALL'S INC
	0050789	74.71	GREG'S LAUNDRY EQUIP SERVICE
	0050802	500.00	INNOVIS HEALTH
	0050803	161.00	INNOVIS HEALTH
	0050807	701.19	JAMESTOWN AMBULANCE
	0050808	17.80	JAMESTOWN COMMUNICATIONS INC
	0050809	2,647.55	JAMESTOWN HOSPITAL
	0050814	910.10	JETSTREAM CAR WASH
	0050827	2,140.26	M D U
	0050837	49.55	MILL TOWN HERBS
	0050838	217.15	MOORE MEDICAL CORP
	0050854	97.30	OFFICELAND
	0050857	5,071.07	OTTER TAIL POWER CO
	0050858	723.05	PAN-O-GOLD BAKING CO.
	0050862	289.35	PLUMBMASTER
	0050864	54.19	PROBUILD
	0050866	111.10	QWEST
	0050868	93.00	REDWOOD TOXICOLOGY LABORATORY,INC
	0050876	100.00	SCHATZ/ANDREW
	0050882	554.00	SMITH'S FLOORING
	0050883	325.93	SMITTY'S CARPET SHOP, INC
	0050889	887.07	STEIN'S, INC
	0050892	119.24	STOUDT INC/R M
	0050897	6,973.01	SYSCO FOOD SERVICES OF ND
	0050898	57.80	TDS METROCOM
	0050901	100.00	TRAPP/TRACEY A
	0050905	6,212.84	U S FOOD SERVICE INC
	0050909	84.53	VISA
	0050910	317.58	VISA
	0050914	41.76	WALMART COMMUNITY BRC
	0050917	62.50	WENZEL'S LOCK & KEY
		41,082.05	Final Total
WEED CONTROL			
	0050866	7.94	QWEST
	0050894	6.60	STUTSMAN COUNTY AUDITOR
	0050898	2.31	TDS METROCOM
		16.85	Final Total
VETERANS SERVICE			
	0050866	15.87	QWEST
	0050898	9.45	TDS METROCOM
		25.32	Final Total
COUNTY AGENT			
	0050746	60.00	CENTER FOR 4-H YOUTH DEVELOPMENT
	0050781	48.00	FOSTER COUNTY EXTENSION OFFICE
	0050810	153.00	JAMESTOWN SUN
	0050844	40.00	N D S U
	0050845	120.00	N D S U AG COMMUNICATION
	0050872	5.07	RITTENBACH/CHRISTINA
	0050895	7.50	STUTSMAN COUNTY CORRECTIONAL CENTER
		433.57	Final Total
EMPLOYEES HOSPITAL INS			
	0050842	96,052.54	N D P E R S
	0050878	184.04	SCHMIDT/PHILIP & PAULINE
		96,236.58	Final Total
TAX REFUND			
	0050790	227.43	GRIM/JOHN
	0050795	393.38	HASTINGS/JIM
		620.81	Final Total
COMMISSARY			
	0050741	47.31	CABLE SERVICES
	0050762	149.34	CRAWFORD SUPPLY CO
	0050770	323.92	DCR DISTRIBUTORS
	0050782	449.48	FRANK MCKONE CANDY CO
	0050784	911.73	FRITO LAY
	0050830	2,396.62	MAXIMA SUPPLY LLC
	0050838	66.00	MOORE MEDICAL CORP
	0050859	1,574.08	PEPSIAMERICAS
	0050861	470.50	PIZZA CORNER FROZEN PIZZA
	0050870	4,800.00	RELIANCE INMATE SYSTEMS INC.
	0050895	504.30	STUTSMAN COUNTY CORRECTIONAL CENTER
	0050914	463.50	WALMART COMMUNITY BRC
		12,156.78	Final Total
DRUG PROGRAM			
		123.29	Final Total
COURTHOUSE BUILDING			
	0050882	255.00	SMITH'S FLOORING
		255.00	Final Total
COUNTY HAZARDOUS CHEMICAL ACCOUNT			
	0050747	232.17	CENTRAL BUSINESS SYSTEMS, INC

	0050854	104.99	OFFICELAND
	0050909	265.20	VISA
		602.36	Final Total
GENERAL FUND SUB ACCOUNT			
	0050751	10,000.00	CHICAGO TOWNSHIP #7
		10,000.00	Final Total
DATA PROCESSING			
	0050758	2,551.23	COMPUTER PROFESSIONAL,ULTD,INC
	0050761	535.98	CPS TECHNOLOGY SOLUTIONS
	0050766	55.54	DACOTAH PAPER CO
	0050866	15.87	QWEST
	0050898	8.67	TDS METROCOM
		3,167.29	Final Total
ROAD AND BRIDGE BUILDING FUND			
	0050731	144.25	BOB'S PLUMBING & HEATING INC
	0050738	136.87	C H CARPENTER LUMBER CO
	0050764	10,914.27	CURTIS ELECTRIC
		11,195.39	Final Total
CO EXTENSION FUND			
	0050845	50.00	N D S U AG COMMUNICATION
	0050874	128.20	SAHR/EUNICE
	0050895	47.00	STUTSMAN COUNTY CORRECTIONAL CENTER
		225.20	Final Total
CENTRAL VALLEY HEALTH BOND ISSUE			
	0050888	29,932.00	STARION BOND SERVICES
		29,932.00	Final Total
JOB INCENTIVE FUND			
	0050812	13,167.50	JAMESTOWN/STUTSMAN DEVELOPMENT CORP
	0050813	19,500.00	JAMESTOWN/STUTSMAN DEVELOPMENT CORP
		32,667.50	Final Total
FEMA FUNDS			
	0050849	14,000.00	NEWMAN SIGNS
	0050915	710.63	WALMART COMMUNITY BRC
		14,710.63	Final Total
WAGES			
	6051-6244	427,349.39	WAGES (3/25/2010)
		427,349.39	Final Total

A motion to adjourn was made by Neys seconded by Marks. At 6:07 p.m. the regular monthly meeting of the Stutsman County Commission was adjourned.

ATTEST:

Noel A. Johnson
County COO (Auditor)

Mark Klose
Commission Chairman