Official Proceedings of the Stutsman County Commission

April 19, 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.

Steve Thompson, Interstate Engineering, reported that funding for 2010 ER projects had been released by NDDOT. All 2010 ER project funding requests needed to be submitted to NDDOT by September 1, 2011 or the funds would be returned to Federal Highway. Thompson presented two preliminary engineering contracts for Emergency Relief (ER) projects on County Highway 67 south of Cleveland. The estimate for the work on the curve was $46,608.51 and $50,226.98 for the area adjacent to Hehn-Schaffer Lake. Marks made a motion seconded by Neys to approve the contracts. Roll call vote – Ova, Marks, Schwartz, Neys and Klose voted aye. Contracts for work on these areas would not be completed until 2012. Emergency work could be done now – this work would be reimbursed 100%.

Commissioner Schwartz questioned whether or not the County should go ahead, repair inundated roads and not worry about compliance for ER funding. All the rules and regulations to qualify for funding raise the costs to the point that the County may be financially ahead to pay the cost and forego the 80% reimbursement. Thompson indicated that unless the jobs were completed to Federal regulations, all potential future Federal funds for that road would no longer be available.

Marks made a motion seconded by Ova to get authorization from NDDOT to do all emergency work necessary to get the county roads out of water as soon as possible. Roll call vote – Marks, Schwartz, Neys, Klose and Ova voted aye.

Thompson presented three preliminary engineering contacts for paving 2010 ER sites 9, 10 and 16 on County Highway 67 south of Cleveland in the amount of $3,586.59 for each project. The plans would be developed for a November bid letting so the roads would be paved in 2012. If any spots were inundated next year, the projects could be pulled. Ova made a motion seconded by Schwartz to approve the contracts. Roll call vote – Schwartz, Neys, Klose, Ova and Marks voted aye.

Thompson reviewed alternatives for the Ypsilanti Bridge replacement project. Cost estimates for each alternative were 1) for a narrower bridge $840,000, 2) same size bridge $865,000, and 3) for a bridge with a middle pier $850,000. The consensus was to go with a same size bridge – this choice was made so that the project concept report could be closed out. Because the bridge was still a safe solid bridge, replacement could be held off for now. A motion was made by Marks seconded by Schwartz to table the bridge replacement for an extended period of time. Motion carried.

Thompson reported that plans for the Gavilon road were progressing with a bid date of May 17, 2011.

Chad Kaiser, Stutsman County Sheriff, reported on a CIS software program that was compatible with mobile data computers. A $21,000 grant had funded purchase of the terminals and software. $6,000 per year was needed for support, maintenance and program updates. The system allowed officers in the field to access information that would normally require dispatch to access. Ova made a motion seconded by Schwartz to authorize the additional $6,000 for support and maintenance. Roll call Vote - Neys, Klose, Ova, Marks and Schwartz voted aye.

Connie Ova, CEO-JSDC, presented a request of $117,500 by Gavilon Group, LLC for new jobs training/JSDC jobs incentive funds for their new wholesale liquid fertilizer facility in Midway Township. The application was for a forgivable loan from JSCD for $55,000, 1% interest – 10 year amortization secured by new jobs training funds; an additional amount of up to $62,500 jobs incentive grant (match of 50% employee up to the first 5 full time employees) provided upon proof of hiring employees paid equal to or more than $15 per hour for 40 hours/week. The project would be funded 80/20 County/City. Marks made a motion seconded by Schwartz to approve $94,000 in County funds. Roll call vote – Klose, Ova, Marks, Schwartz and Neys voted aye.

Ms. Ova presented a request for matching dollars for a feasibility study for a Controlled Environment Agriculture (CEA) leaf lettuce production facility. The $75,000 request would match a ND Ag Products Utilization Commission (APUC) grant. The funding would be 80/20 County/City. Steve Froehlich presented information on the potential for growing lettuce in the Midwest. The project would be developed in three phases over a two to three year period with a target production of 34 million heads of lettuce per year. The facility projects 62 employees with half of the employees in the technology field. Marks made a motion seconded by Schwartz to

approve $60,000 in County funds. Roll call vote - Ova – aye; Marks – aye; Schwartz – aye; Neys – nay; and Klose – aye.

Jim Boyd made a presentation on the 22 member delegation that went to Denmark with representatives of Great River Energy to visit a cellulosic ethanol facility operated by Inbicon. The purpose of the trip was to learn more about using biomass for energy. He thanked the County for their support. There needed to be more work with local producers. GRE had plans for a 50 million gallon corn stover cellulosic plant by 2014.

Commissioner Schwartz reviewed the motor grader bids that were opened last meeting. The net cost was very similar for all 3 machines. He recommended purchasing the new CAT machine at a net cost of $256,633. Schwartz indicated that the CAT machine had 2 gallons per hour better fuel consumption and with $4 fuel over a holding period of 7,500 hours that was another reason for his recommendation. Marks made a motion seconded by Schwartz to purchase the CAT machine. Marks – aye, Schwartz – aye, Neys – nay, Klose – aye and Ova – aye.

Noel Johnson announced his retirement, effective as soon as possible, from all of his County positions: County COO, County Auditor, Director of Tax Equalization, Zoning Administrator, Risk Manager, and Superintendent of Schools Designee.

The Commission reviewed the revised job descriptions for the County Treasurer and County Recorder.

Johnson also stated that combining some offices had been discussed. The combining of the Treasurer's and Recorder's offices would be doable after visiting with Jacki Lindell the Deputy Treasurer. Johnson stated that sharing staff had been encouraged over the past several years. The job description would need to change. There most likely would be a treasurer/recorder with a deputy treasurer and a deputy recorder. There were some issues that would need to be worked out. Commissioner Schwartz questioned if they were to combine the two offices would they still be looking at having two department heads or have only one that would be in charge over the whole office. Johnson said details were not fully worked out yet but most likely there would be one department head (Treasurer/Recorder) with a deputy treasurer and a deputy recorder. The departments were separate in the past because the positions were elected. The Home Rule Charter has done away with that, the department heads were now appointed not elected. The Commission needs to think more corporate style of management and to consider what was in the best interest for the taxpayer. Johnson stated that there was no need of two department heads for four people. The one department head could move their staff around as needed on a day to day basis. This department head would still answer to the COO.

The COO deals with people that come into the Courthouse daily with questions and also in helping the department heads deal with day to day issues – not in control but helping with the daily decisions for the Commission because the Commissioners are not able to hold a meeting everyday to deal with issues that come up. The Commissioners are the boss, Johnson stated he has always recognized that and that he does not usurp their authority but we have to do business everyday. The COO works with department heads on a daily basis and assists the Commission with those daily decisions.

Commissioner Klose questioned Johnson if they would still be able to advertise for positions as they are now and if a right person was interviewed that could fit into a combined department (if that decision made) if they could hire as such. Johnson said he thought that that was a very good idea the only thing is that there would be a transitional period. He said that at the present time Jacki Lindell is the Deputy Treasurer and the only person in that office. She has done a great job but you need to get a treasurer and another full time person in that department to get training in place during the slower period. Jamie Anderson-Ruff, currently the Deputy Recorder, is doing a good job but that office still has two people working in it so the urgency was not as great.

Neys made a motion seconded by Ova to approve the change in job descriptions. Marks mentioned that at the meeting two weeks ago it had been approved to advertise for the treasurer, recorder and a general coordinator. Commissioner Klose stated that it was decided that the Chief Operating Officer would have control over those duties and that the general coordinator idea would just be eliminated.

The motion was clarified that there would be an advertisement for a treasurer and a recorder with the idea that that person could be hired for both duties if it were made into a combined department.

Jamie Anderson-Ruff stated that when she first starting working in the recorder's office there were three people in the office and now they are down to two. The recorder's position itself is a full time position and if we combine the offices who would be training this new person for the

recorder's duties? Klose said that flexibility was what the Commission was looking to attain, it would have to be decided. Ruff stated that wouldn't it be more efficient to a have a department head in each department. Klose said that this was what the Commission would be looking at – the efficiency and the economics behind staff.

Lindell questioned one line in the new job description based on duties as stated in the NDCC. Johnson said that he had no problem with the wording change. Wording change was ok with Neys and Ova that had made the motion.

Roll call vote (job description changes): Marks – aye, Schwartz – aye, Neys – ayes, Klose – aye, and Ova – aye.

Ova made a motion seconded by Neys to approve the Beer Application and Sunday Beer Permit for Jamestown Speedway. Motion carried.

Neys made a motion seconded by Schwartz to grant the site authorization for the ND Buffalo Foundation at the Anchor Bar, the Buchanan Bar and the 281 Stop. Motion carried.

Ova made a motion seconded by Neys to grant the raffle permit for the Buffalo City Gun Club and to grant the raffle permit for Dakota Motocross. Motion carried.

A motion was made by Marks and seconded by Neys to approve payment of $167.50 in taxable meals and payment of the mid-month bills. Roll call vote – Schwartz, Neys, Klose, Ova and Marks voted aye.

Fund	Warrant No	Amount	Vendor Name
GENERAL			
	0055022	126.99	A & B BUSINESS INC
	0055023	46.61	ALLTEL
	0055024	500.00	BARTON SCHOOL BUS SALES
	0055025	757.12	BROWN & SAENGER
	0055026	112.48	BRUNSCH/BEVERLY
	0055033	390.00	CENTRAL BUSINESS SYSTEMS, INC
	0055042	255.00	DICK/TIFFINEY
	0055043	40.60	DIEDE/DALE I
	0055044	1,925.00	DKK GUARDIANSHIP SERVICES INC
	0055045	102.00	DOLL/DORA L
	0055049	74.50	HAROLDSON'S A & B BUSINESS
	0055050	98.20	HOFMANN/DONALD
	0055061	47.43	LINDELL/JACKI
	0055063	766.19	M D U
	0055070	988.12	NEOFUNDS BY NEOPOST
	0055071	324.08	NETWORK CENTER COMMUNICATIONS
	0055072	183.00	NORTHERN PLAINS ELECTRIC
	0055077	81.88	PEKARSKI/ALICE
	0055081	138.60	RADISSON INN
	0055082	285.00	RANDY'S BARNYARD SERVICE INC
	0055083	76.78	SCHWARTZ/TERRY
	0055090	231.47	TDS METROCOM
	0055092	40.00	TRAUTMAN/RUSSELL
	0055094	264.00	U S POSTMASTER
	0055095	62.50	URDAHL/RUTH
		7,917.55	Final Total
911 EMERGENCY PHONE SYSTEM			
	0055039	513.00	DAKOTA CENTRAL TELECOMMUNICATIONS
	0055040	295.11	DAKOTA CENTRAL TELECOMMUNICATIONS JMTN
	0055067	2,661.66	N D ASSOCIATION OF COUNTIES
	0055080	1,289.88	QWEST
	0055090	5.33	TDS METROCOM
		4,764.98	Final Total
ROAD FUNDS			
	0055025	4.78	BROWN & SAENGER
	0055027	1,970.81	BUTLER MACHINERY CO
	0055028	108.00	C & R RADIATOR
	0055030	200.52	CARQUEST AUTO PARTS
	0055033	91.20	CENTRAL BUSINESS SYSTEMS, INC
	0055035	67.84	CNH CAPITAL
	0055037	3,760.35	CREATIVE ENERGY
	0055040	161.41	DAKOTA CENTRAL TELECOMMUNICATIONS JMTN
	0055041	6.00	DAKOTA VALLEY ELECTRIC
	0055046	331.90	FARGO TRAILER CENTER
	0055048	60,600.00	GUTHMILLER EARTHMOVING,INC
	0055051	41.09	HOME OF ECONOMY
	0055056	423.83	INLAND TRUCK PARTS CO
	0055058	29.86	JAMESTOWN IMPLEMENT
	0055059	185.92	JAMESTOWN SUN
	0055063	790.60	M D U
	0055064	15.15	MEDINA CITY AUDITOR - DD

	0055065	693.95	N A P A AUTO PARTS
	0055073	316.83	NORTHWEST TIRE INC
	0055074	35.98	O'REILLY AUTOMOTIVE INC.
	0055076	13.63	OTTER TAIL POWER CO
	0055078	5,179.22	POWER PLAN
	0055079	128.43	PRAXAIR DISTRIBUTION INC
	0055085	2,872.00	STREETER COOP OIL
	0055087	360.00	STUTSMAN COUNTY GLASS
	0055088	27,303.50	STUTSMAN COUNTY TREASURER
	0055089	1,821.64	SWANSTON EQUIPMENT CO.
	0055093	5.96	TRUE VALUE HARDWARE
	0055096	126.91	VERIZON WIRELESS
	0055097	508.50	VINING OIL CO.
	0055099	99.08	WEST END HIDE & FUR
	0055100	5,014.85	YPSILANTI EQUITY ELEVATOR
		113,269.74	Final Total
SOCIAL SERVICES			
		657.32	Final Total
COUNTY PARK			
	0055023	46.41	ALLTEL
	0055080	127.81	QWEST
		174.22	Final Total
EMERGENCY			
	0055034	5,888.20	CLIFFORD STEWART CONSTRUCTION
	0055048	476.40	GUTHMILLER EARTHMOVING,INC
		6,364.60	Final Total
COUNTY CORRECTIONAL CENTER			
	0055033	185.40	CENTRAL BUSINESS SYSTEMS, INC
	0055055	150.00	INGSTAD FAMILY MEDIA
	0055066	270.00	N D APCO ASSOCIATION
	0055069	720.00	N D STATE RADIO COMMUNICATIONS
	0055073	65.80	NORTHWEST TIRE INC
	0055080	164.00	QWEST
	0055090	66.45	TDS METROCOM
		1,621.65	Final Total
WEED CONTROL			
	0055023	52.94	ALLTEL
	0055025	335.20	BROWN & SAENGER
	0055032	123.88	CDW GOVERNMENT INC
	0055059	228.64	JAMESTOWN SUN
	0055076	30.49	OTTER TAIL POWER CO
	0055090	14.04	TDS METROCOM
		785.19	Final Total
COUNTY AGENT			
	0055025	4.49	BROWN & SAENGER
	0055029	207.57	CANDLEWOOD SUITES
	0055033	171.01	CENTRAL BUSINESS SYSTEMS, INC
	0055038	112.08	DAKOTA CENTRAL TELECOMMUNICATIONS
	0055091	16.07	TDS METROCOM
		511.22	Final Total
DOCUMENT PRESERVATION FUND			
	0055031	311.00	CASS COUNTY TREASURER
		311.00	Final Total
COUNTY HAZARDOUS CHEMICAL ACCOUNT			
	0055075	30.60	OPP/JARED P
	0055092	25.50	TRAUTMAN/RUSSELL
		56.10	Final Total
DATA PROCESSING			
	0055033	29.95	CENTRAL BUSINESS SYSTEMS, INC
	0055036	1,363.16	CPS TECHNOLOGY SOLUTIONS
	0055053	590.80	INFORMATION TECHNOLOGY DEPT
	0055067	16.00	N D ASSOCIATION OF COUNTIES
	0055084	183.60	SMAAGE/JOSH
	0055090	5.32	TDS METROCOM
		2,188.83	Final Total
CO EXTENSION FUND			
	0055052	10.21	HUGO'S 9
	0055086	9.00	STUTSMAN COUNTY CORRECTIONAL CENTER
		19.21	Final Total
GRANTS			
	0055057	16,341.00	JAMESTOWN AMBULANCE
	0055062	2,987.38	LUTHERAN DISASTER RESPONSE
		19,328.38	Final Total
WEED BOARD GRANT			
	0055047	3,261.37	GEMPLER'S INC
		3,261.37	Final Total
CENTRAL VALLEY HEALTH BOND ISSUE			
	0055098	31,633.75	WELLS FARGO CORPORATE TRUST SERVICE
		31,633.75	Final Total
GAME & FISH			
	0055068	7,978.00	N D GAME & FISH DEPT
		7,978.00	Final Total
JOB INCENTIVE FUND			
	0055060	103,100.00	JAMESTOWN/STUTSMAN DEVELOPMENT CORP

103,100.00 Final Total

Nellie Degen requested that the County assist residents with the cost of sand bags and hauling of gravel and bags. Klose stated that the County has no personnel available to assist the private sector. Klose said to keep track of your personal expenses if FEMA comes through with assistance. Johnson reported that the County did not receive any reimbursement for assistance that was given in previous years to help protect private property. The Corp of Engineers, those Federal Agencies can only protect public infrastructure. Public funds are to protect public property only. Klose asked if any Commissioner would like to make a motion to spend money for private assistance. Klose called for a motion three times, no motion made.

Commissioner Schwartz requested permission to review and present to the Commissioners at the next meeting a proposal on allowing private haulers to haul out of the County gravel pits. Permission to review was granted.

Schwartz said that he had been contacted by the water board regarding two dams that had illegally been placed by Audubon and had been ordered by the water board to remove them which they are disputing and has caused flooding to County Road 42 and 63. Schwartz will contact State's Attorney Fremgen for possible follow-up by the County.

Schwartz made a motion seconded by Ova to adjourn. At 9:48 a.m., the mid month meeting of the Stutsman County Commission was adjourned.

ATTEST:

Noel A. Johnson	Mark T. Klose
COO / Auditor	Commission Chairman