Official Proceedings of the Stutsman County Commission – May 1st, 2012

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

Schwartz made a motion, seconded by Neys to approve the minutes of the April 2012 meetings. Motion Carried.

Ova made a motion, seconded by Neys to approve a local raffle permit for the benefit of Carissa Tripp's three children at the Stutsman County Fairgrounds. Motion Carried.

Lutheran Social Services is requesting approval to adopt a resolution relating to a project under the municipal industrial development act (MIDA) bond giving the project preliminary approval and is dependent upon a public hearing. Jon Arnston from Arnston, Wegner, and Stewart informed the board that Lutheran Social Services is renovating the old Jamestown Hospital building. It will be used for elderly housing and other community uses. Jon is requesting from the commission board to set a public hearing to consider issuing MIDA bonds. The public hearing is scheduled for June 5th at 4:15 p.m. The bond request is for five million to five and one-half million dollars not to exceed the five and one-half million dollars. The total project is estimated to cost approximately ten to ten and one-half million dollars. Ova made a motion, seconded by Schwartz to approve to adopt a resolution dependent upon the public hearing on June 5th at 4:15 p.m. Roll call vote: Ova, Marks, Schwartz, Neys, Klose voted aye.

Bids were opened for grazing leases. Bid is as follows: Ron Holzworth from Buchanan, ND, 55 acres at $10.00 per acre for Section 23, Township 141. Ova made a motion, seconded by Neys to accept the bid from Ron Holzworth. Roll call vote: Marks, Schwartz, Neys, Klose, Ova voted aye.

Casey Bradley, Auditor/COO sent a letter to the North Dakota Historical Society regarding the status of the old courthouse. Casey, Tracey Trapp, Ramone Gumke, David Schwartz, Jerry Bergquist, Mark Klose, Chad Kaiser, some of our maintenance staff, the director of the ND Historical Society, the assistant director and a member of their staff came here approximately a month ago and toured the facility. The historical society hired a contractor who performed an air quality test. Various types of mold were found to be present which requires the building to be quarantined. Some of their security personnel were also present to address the security issues. The North Dakota Historical Society presented a tentative schedule of various tasks for the Historic Stutsman County Courthouse. They identified areas that need to be addressed such as mold, asbestos, general maintenance inside and outside the facility, wiring, and security issues. The Historical Society is working with Badlands Environmental to mitigate the mold and asbestos. Stutsman County is working on this issue before it affects our facility.

A public hearing was held for Great River Energy's resolution authorizing the issuance of solid waste disposal revenue bonds under the municipal industrial development act (MIDA) increasing from $50

million to $70 million. Ova made a motion, seconded by Schwartz to approve the resolution authorizing the increase from $50 million to $70 million in MIDA bonds. Roll call vote: Schwartz, Neys, Klose, Ova, Marks voted aye. There were no comments heard from the public.

Nina Schneider, Buffalo City Tourism Foundation updated the commissioners on the audit results and also requested a release of funds in the amount of $6,000.00 for the Frontier Village Association. The audit identified approximately ten areas where the Frontier Village Association needs improvement such as a better way to manage and track transactions. Schwartz made a motion, seconded by Marks to approve the request of funds in the amount of $6,000.00. Roll call vote: Neys, Klose, Ova, Marks, Schwartz voted aye.

Neys made a motion, seconded by Schwartz to accept a proposal from Interstate Engineering for Construction Engineering Services for CER-4717(082), CER-4717 (083), and CER-4717 (084). Roll call vote: Klose, Ova, Marks, Schwartz, Neys voted aye.

Schwartz made a motion, seconded by Marks to approve the grant maintenance agreements for projects CER-4717 (085) and CER-4717(090). Motion Carried.

Mickey Nenow, County Highway Superintendent presented his monthly report to the commissioners. The crews are working on crack sealing and rocking. Mickey is keeping the road restrictions on. The roads are still in rough shape.

The purchase prices were almost identical with the trade in and buy back. It came down to the fuel consumption. The John Deere was on average of 5.6 gallons per hour and the Cat was at 4.9 gallons per hour. Schwartz made a motion, seconded by Marks to accept the bid from Butler Machinery. Roll call vote: Ova, Marks, Schwartz, Neys, Klose voted aye.

Originally we were going to purchase two motor graders, however the winter was mild and the road department decided to only trade out one high hour motor grader. The road department also had in the budget to purchase two dump trucks and a pickup. The road department received one dump truck for free which means they will be under budget on the purchase of assets this year. If measure two passes the road department does not know what the 2013 budget will be like. The permanent grade raises will not be done this year due to the bidding of the project happening in November with the construction being started in 2013. Mickey is requesting approval to bid a new motor grader. Schwartz made a motion, seconded by Marks to approve publishing a bid solicitation for a new motor grader as requested. Motion Carried.

Jerry Bergquist, 9-1-1 Coordinator/Emergency Manager updated the commissioners on the burn ban. Foster County rescinded their burn ban as of today. Jerry informed the board that Stutsman County only had three grass fires since the last commissioner meeting we did not have any days that were classified as very high or extreme conditions. It is the recommendation from the Fire Chiefs in Stutsman County to rescind the burn ban. Jerry mentioned that Chad Kaiser, Stutsman County Sheriff, is very much in favor that the Fire Emergency Declaration/Burn Ban Proclamation would become a permanent ordinance. Schwartz made a motion, seconded by Marks to rescind the Fire Emergency

Declaration/Burn Ban Proclamation. Motion Carried.

Jerry is requesting permission to allow the State's Attorney to continue working on an agreement with Richland County to purchase 9-1-1 equipment together that is the same brand. Richland County and Stutsman County use the same mapping software and are very similar in the day to day operations in the dispatch center. We could link the 9-1-1 systems and eventually the radio system together and be a back-up for each county in cases of emergencies. Ova made a motion, seconded by Schwartz to approve a joint purchase of 9-1-1 equipment with Richland County as presented. Motion Carried.

A vulnerability assessment was completed late last year on the Law Enforcement Center and the Courthouse. The assessment suggested having a plan available for employees and visitors in the event of an emergency. Jerry Bergquist and Todd Volk presented an emergency preparedness plan for Stutsman County. Marks made a motion, seconded by Ova to adopt the emergency preparedness plan as presented. Roll call vote: Marks, Schwartz, Neys, Klose, Ova voted aye.

Ashley Hietkamp, Assistant State's Attorney, updated the board on the monthly report. Ashley stated that Fritz Fremgen, State's Attorney is working on the upcoming murder trial in August. The Defense Attorney did file a motion for a change of venue. There is a possibility that the trial will be venued somewhere else, however, it has not been decided as of yet. Ashley presented information on Title VI compliance. Ashley stated that she has filed the appropriate paperwork in December and has not heard back from the State of North Dakota. We are one of four counties that we have got into compliance.

Fritz Fremgen, State's Attorney, updated the board with his monthly report. Fritz is currently working on the mobile home case. Fritz stated he will read a case that may be similar to the mobile home case. The case regarding the Family Medical Leave Act is finished since the employee resigned. It is of Fritz's opinion that the Right of Way is going along smoothly. Fritz informed the board that the North Dakota Insurance Reserve Fund appointed a lawyer in the case of Sissell vs. Stutsman County. Fritz had a phone conference with Richland County regarding the potential joint powers agreement with Richland County for the 9-1-1 upgrade material. Fritz is receiving information from Aaron Burst from the North Dakota Association of Counties since they have gone through this before. It is of Fritz's opinion that the real legal work is bidding for the project.

Marks made a motion, seconded by Neys to approve the bills for payment. Roll call vote: Schwartz, Neys, Klose, Ova, Marks voted aye.

GENERAL
0059098 183.90 A & B BUSINESS INC;0059101 10.00 ANDERSON/JAMIE;0059102 2,812.50 APPLIED CONCEPTS INC.;0059104 46.41 AT&T MOBILITY;0059105 652.80 BAKKEN/DUSTIN;0059106 1,216.68 BALCO UNIFORM CO. INC;0059109 111.00 BENDER/STEVE G;0059112 17.99 BROWN & SAENGER;0059125 2,050.62 CHS CREDIT CARD DEPT;0059134 822.26 DAN'S SOOPER STOP;0059135 116.00 DAWSON BODY SHOP & TOWING;0059137 111.00 DOLL/DORA L;0059149 375.00 HAUT FUNERAL HOME;0059154 55.50 INFORMATION TECHNOLOGY DEPT; 0059156 1,250.00 JAMESTOWN AMBULANCE;0059157 610.33 JAMESTOWN I-94 CLARK;0059161 246.75 JETSTREAM CAR WASH;0059166 247.50 KROPP LAW OFFICES PC;0059167 43.00 LANDSCOOT/MIKE;0059172 931.74 MAIL

FINANCE;0059173 308.00 MAINSTAY SUITES;0059176 735.76 MDU;0059177 790.00 MEDINA AMBULANCE SERVICE;0059185 190.00 ND STATE BONDING FUND;0059186 480.00 ND STATE RADIO COMMUNICATIONS;0059187 182.00 NDAAO;0059189 3,000.00 NEOFUNDS BY NEOPOST;0059193 450.60 NILL CONSTRUCTION;0059194 394.26 NORTHERN SAFETY TECHNOLOGY, INC;0059205 321.27 PRESS ROOM/THE;0059208 144.55 PUBLIC SAFETY CENTER, INC;0059218 172.50 SANDNESS LAW OFFICE;0059220 177.48 SCHWARTZ/DAVID;0059221 132.00 SIMMERS/JACKIE;0059224 482.10 STOP & GO #431;0059230 203.07
TDS METROCOM;0059241 764.49 VERIZON WIRELESS;0059245 104.49 VISA SO 4194;0059248 110.22 WALMART COMMUNITY BRC;0059249 14.53 WALMART COMMUNITY BRC;0059253 453.50 WEST GROUP PAYMENT CENTER;0059254 39.95 WILHELM CHEVROLET BUICK GMC;0059256 1,123.66 WINFIELD TOWNSHIP #62
911 EMERGENCY PHONE SYSTEM
0059230 5.21 TDS METROCOM
ROAD FUNDS
0059100 73.44 ANDERSON/CHARLES;0059116 2,316.41 BUTLER MACHINERY CO;0059119 92.70 CARQUEST AUTO PARTS;0059123 32.60 CENTRAL SALES;0059126 400.50 CNH CAPITAL;0059130 305.40 CREATIVE ENERGY;0059142 6,878.85 FARMERS UNION OIL CO-CENEX;0059143 31.15 FASTENAL CO;0059150 69.60 HOME OF ECONOMY;0059158 261.36 JAMESTOWN IMPLEMENT;0059162 26,727.61 JOB SERVICE NORTH DAKOTA;0059169 98.00 LINDSAY SOFT WATER;0059171 74.27 MAC'S, INC;0059174 70.00 MARGIE HANDY WORK;0059176 331.08 MDU;0059178 166.11 MOTION INDUSTRIES;0059182 953.01 NAPA AUTO PARTS; 0059192 2,563.80 NEWMAN SIGNS;0059195 273.42 NORTHWEST TIRE, INC;0059199 13.63 OTTER TAIL POWER CO;0059203 61.26 POWER PLAN;0059206 85.33 PROBUILD;0059209 25.06 QUALITY SERVICE & REPAIR;0059210 407.34 QUILL CORP;0059217 253.58 SAFETY KLEEN CORP;0059222 201.96 SINCLAIR/JOHN;0059228 13.43 SWANSTON EQUIPMENT CO;0059238 648.00 TWO RIVERS PRINTING;0059241 89.38 VERIZON WIRELESS;0059242 2,467.54 VINING OIL CO;0059244 242.27 VISA RD 3599;0059247 221.22 WALLWORK INC/W W;0059250 267.69 WALMART COMMUNITY BRC;0059252 81.39 WEST END HIDE & FUR;0059254 26.12 WILHELM CHEVROLET BUICK GMC
SOCIAL SERVICES FUND TOTAL 35,834.35
COUNTY CORRECTIONAL CENTER
0059099 142.28 A & B BUSINESS INC;0059108 2,142.62 BEHAVORIAL INTERVENTIONS;0059112 16.92 BROWN & SAENGER;0059114 77.67 BROWN/DORINDA;0059120 14,036.22 CBM FOOD SERVICE;0059122 200.40 CENTRAL BUSINESS SYSTEMS, INC;0059127 1,482.78 COLE PAPERS INC;0059133 145.42 DACOTAH PAPER CO;0059140 500.00 ESSENTIA HEALTH;0059141 454.00 ESSENTIA HEALTH;0059161 819.75 JETSTREAM CAR WASH;0059171 10.82 MAC'S, INC;0059176 682.66 MDU;0059180 30.00 MUNSON/BRENDA;0059186 480.00 ND STATE RADIO COMMUNICATIONS;0059198 3,179.31 OTIS ELEVATOR COMPANY;0059201 378.00 PHARMCHEM, INC;0059207 1,087.58 PSS WORLD MEDICAL, INC;0059212 178.60 RADISSON INN;0059214 9.00 REDWOOD TOXICOLOGY LABORATORY, INC;0059223 861.18 STEIN'S, INC;0059230 64.97 TDS METROCOM;0059231 188.10 THOMPSON/WENDY;0059232 334.23 THRIFTY DRUG-WHITE DRUG;0059234 111.00 TRAPP/TRACEY A;0059236 9.99 TRUE VALUE HARDWARE;0059241 126.39 VERIZON WIRELESS;0059243 11.45 VISA LEC 4635;0059249 57.73 WALMART COMMUNITY BRC;0059251 489.80 WALZ PHARMACY;0059257 225.39 XTREME AUTO, INC
HISTORICAL SOCIETY
0059146 6,000.00 FRONTIER VILLAGE ASSN

COUNTY AGENT
0059122 163.46 CENTRAL BUSINESS SYSTEMS, INC
COMMISSARY
0059117 47.31 CABLE SERVICES;0059136 385.93 DCR DISTRIBUTORS;0059144 257.98 FRANK MCKONE CANDY CO;0059145 1,424.16 FRITO LAY;0059164 487.58 KEEFE COFFE & SUPPLY;0059175 1,101.94 MAXIMA SUPPLY LLC;0059200 1,962.97 PEPSIAMERICAS;0059202 942.50 PIZZA CORNER FROZEN PIZZA;0059207 71.32 PSS WORLD MEDICAL, INC;0059215 1,600.00 RELIANCE INMATE SYSTEMS, INC;0059226 2,198.07 STUTSMAN COUNTY CORRECTIONAL CENTER;0059249 316.07 WALMART COMMUNITY BRC
DOCUMENT PRESERVATION FUND
0059239 3.00 UNDERGROUND VAULTS & STORAGE
COUNTY HAZARDOUS CHEMICAL ACCOUNT
0059249 165.32 WALMART COMMUNITY BRC
DATA PROCESSING
0059121 330.54 CDW GOVERNMENT;0059129 486.10 CPS TECHNOLOGY SOLUTIONS;0059211 424.98 QUILL CORPORATION;0059230 2.88 TDS METROCOM
CO EXTENSION FUND
0059152 41.82 HUGO'S 9;0059188 14.83 NDSU BOOK STORE
WAGES
10946-11116 471,110.23 4-25-12

Chad Kasier, Stutsman County Sheriff suggested to the commission board that Stutsman County should look at adopting a permanent ordinance instead of the Fire emergency declaration/burn ban proclamation since it was dependent on the fire danger index. He feels that the public is educated and it would possibly eliminate confusion.

At 5:10 p.m., the Stutsman County recessed for the County Park Board Meeting.

Official Proceedings of the Stutsman County Park Board – May 1st, 2012

At 5:25 p.m., Chairman Klose called the regular meeting of the Stutsman County Park Board to order. Denny Ova, Dale Marks, David Schwartz, Craig Neys, Mark Schlecht, Robert Woodward and Mark T. Klose answered the roll call.

Schlecht made a motion, seconded by Woodward to approve the minutes of the April 2012 meeting. Motion Carried.

Woodward made a motion, seconded by Neys to approve the monthly bills. Roll call vote: Neys, Klose, Schlecht, Woodward, Ova, Marks, Schwartz voted aye.

COUNTY PARK
0059103 142.00 ARNESON INC;0059104 46.41 AT&T MOBILITY;0059118 149.17 CARQUEST;0059123 1,025.39 CENTRAL SALES;0059124 129.10 CENTURYLINK;0059153 38.38 INFINITY BUILDING

SERVICES;0059159 163.49 JAMESTOWN IMPLEMENT;0059160 59.80 JAMESTOWN SUN;0059162 5,408.00 JOB SERVICE NORTH DAKOTA;0059170 47.00 LORENZ/DENNIS;0059171 218.27 MAC'S, INC;0059181 82.87 NAPA AUTO PARTS; 0059196 29.99 O'REILLY AUTOMOTIVE, INC;0059204 140.70 PRAXAIR DISTRIBUTION, INC;0059216 840.10 RICH MCGRUDER CONSTRUCTION;0059227 74.00 STUTSMAN RURAL WATER DISTRICT;0059233 604.93 TRACTOR SUPPLY CREDIT PLAN;0059235 875.00 TRUCK & AUTO SALVAGE;0059237 10.94 TRUE VALUE HARDWARE; 0059240 276.27 UNITED LABORATORIES;0059254 19.72 WILHELM CHEVROLET BUICK GMC

Fritz Fremgen, Stutsman County State's Attorney, presented the permit for Spiritwood Lake. There was much discussion regarding the proposed permit. Woodward made a motion, seconded by Marks to table the Spiritwood Lake permit. Motion Carried. It is the consensus of the board to have the committee hold a meeting in order to come to terms on the Spiritwood Lake permit.

Ova made a motion, seconded by Woodward to approve a transfer of ownership of Cabin 30 West Side from Elaine and Donald Gusaas to Oren and Connie Krapp contingent upon the completion of paperwork. Motion Carried.

Dennis Lorenz, Stutsman County Park Superintendent presented his monthly report. At Pelican Point, the painters are almost done with the restroom facility, the grass is seeded, and the water sample report was good. The Roaming Buffalo organization came in to clean up the Lakeside campgrounds. There is a wedding being held on the island this weekend. At the Marina, the air conditioner unit needs replacing. Dennis received three quotes from: Lifestyle submitted a quote for a 25,000 BTU wall air conditioner unit for $679.00; Sears submitted a quote for a 25,000 BTU wall air conditioner unit for $569.99 and Lifestyle submitted a quote for a Fairbrecks brand 24,000 BTU wall air conditioner unit for $800.00. The Fairbrecks unit is the only one that will fit in the existing hole in the wall; the other two units would need additional construction to make the units fit. Marks made a motion, seconded by Woodward to accept the quote from Fairbrecks. Roll call vote: Klose, Schlecht, Woodward, Ova, Marks, Schwartz, Neys voted aye. Pelican Point project received $10,500.00 from the Garrison Diversion.

At 6:35 p.m., a motion to adjourn the Stutsman County Park Board meeting was made by Schwartz, seconded by Woodward. Motion Carried.

At 6:35 p.m., the Stutsman County Commission Meeting reconvened.

At 6:35 p.m., a motion to adjourn was made by Marks, seconded by Neys. Motion Carried.

ATTEST:

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Casey Bradley
Auditor/COO

Mark T. Klose
Commission Chairman