Official Proceedings of the Stutsman County Commission

May 18, 2011

At 7:00 a.m., Chairman Klose called the special meeting of the Stutsman County Commission to order. Dennis Ova, Dale Marks, David Schwartz, Craig Neys and Mark T. Klose answered roll call. The purpose of this meeting was to review bids and funding for ER projects funded by County funds only, review and approve the payment contract with Gavilon Grain for road construction, review and approve bid for the Gavilon Grain road and approve a raffle permit.

Mickey Nenow, County Highway Superintendent, reviewed the bids that were opened on May 17, 2011. Bids were as follows: RTS Sheering, LLC – Site 47-8 $156,650, Site 47-9 $61,344, Site 47-4 $158,499 and Site 47-13 $159,406; Guthmiller Earthmoving – Site 47-8 $230,000, Site 47-9 $67,500, Site 47-4 $225,185 and Site 47-13 $266,185. Noel Johnson, County COO, reviewed the 2011 road department year-to-date budget guideline and the projected ending balances by fund. He said that if budgets were not overspent there would be reserves that could cover these emergency projects. Johnson also said that there would be money coming from the State that could possibly be used for matching funds. Klose asked if this money would be reimbursed at some point. Nenow stated that as soon as 2011 funds were available there should be some reimbursement. It could be up to a year before any reimbursement funds would be received. Johnson said that in order to track the ER projects and reimbursements received, it would be best to spend out of Fund 22 (Emergency Fund). Nenow recommended going with the low bidder. Starting date depends on when the archeological surveys are completed. Construction starts within ten days of contract signing (after surveys are received) and to be completed within 10 days of the starting date. Schwartz made a motion seconded by Marks to award the bid to the low bidder, RTS Sheering, LLC, and that this was being done in connection with the declared emergency which authorizes the county to release emergency funds. Roll call vote: Ova, Marks, Schwartz, Neys and Klose voted aye.

Fremgen reviewed the payment contract with Gavilon Grain for payment of the road construction to the facility. He explained that an escrow account could be set up at Wells Fargo for payment of bills. There are some costs involved with an escrow account. Johnson suggested that when a bill was presented to the County, the County would request payment from Gavilon to cover the expense. Klose suggested that Gavilon could give so much down then receive additional funds when needed. Rich Welding, Gavilon, would visit with their home office on how funds could be received. Klose stated when the contract is awarded they could stipulate that it is awarded pending understanding with Gavilon for security agreement. Steve Thompson, Interstate Engineering, stated that the construction engineering costs were dependent upon on how much the County wants Interstate Engineering to do. The project was set up so that County staff could run it and any assistance by Interstate would be charged by the hour. Welding stated that the contract should be in the name of Gavilon, LLC and that there was no stipulation as to who was responsible for maintenance and repair. Fremgen stated that the agreement could be written that Gavilon has no responsibility for maintenance and repairs and that it remains a county road. Klose stated that the award would be tentative based on the understanding that the contract would be finalized.

Ova made a motion seconded by Schwartz to award the bid to Border States Paving, Inc. Roll call vote: Marks, Schwartz, Neys, Klose and Ova voted aye.

Johnson asked who was responsible to oversee the bills so that the bills are paid. Rich Welding would be the contact person for this.

Neys made a motion second by Ova to approve the raffle permit for the Jamestown Gymnastics Club at the Jamestown Speedway. Motion carried.

A motion to adjourn was made by Schwartz and seconded by Neys. At 7:27 a.m. the special meeting was adjourned.

ATTEST:

Noel A Johnson County COO (Auditor)	Mark T. Klose Commission Chairman