Official Proceedings of the Stutsman County Commission

May 19, 2009

At 8:00 a.m., Chairman Klose called the regular meeting of the Stutsman County Commission to order. Dennis Ova, Dale Marks, Craig Neys, Doug Kaiser and Mark T. Klose answered roll call.

Steve Steinborn and Nancy Fuchs, Insure Forward, presented the insurance renewal for the County's insurance as follows: Business Auto - $42,857; Liability - $43,980; Inland Marine - $11,448; Boiler - $5,528.11. The premiums increased $1,575 based upon a few minor rate increases. The conferment was down from $38,429 to $17,017. The conferment was a premium refund that was dependent upon company profits and losses. Neys made a motion that was seconded by Ova to renew the insurance. Roll call vote – Ova, Marks, Kaiser, Neys and Klose voted aye.

Brian Carlson and Richard Welding, Gavilon Grain, LLC d/b/a Peavey Elevator, presented a 10 year payment in lieu of taxes exemption request for a proposed 40,000 ton bulk fertilizer facility that would be located at their existing facility in Midway Township. With their request, the company would pay taxes on the new improvements, but their taxes would go to the county for road improvements to their facility. The new plant would provide wholesale fertilizer to local retailers. Johnson pointed out that the statutes do not allow in lieu payments to go to only one entity. The in lieu payments must be apportioned to all taxing authorities – school, county, township and fire district. Cost estimates to pave or upgrade the access roads from the Interstate by-pass to the plant would be developed and a follow up special commission meeting would be held to act on the exemption request.

Lindsey Larson, Communications Coordinator, presented a JSDC request to update the marketing materials used to promote economic development. The $50,000 would be an 80/20 City/County split. Ova made a motion that was seconded by Kaiser to approve the $10,000 of County jobs development funds. Roll call vote – Marks, Kaiser, Neys, Klose and Ova voted aye.

Connie Ova, CEO-JSDC, presented a request for all City funds to provide up to 70% of the capital construction project cost not to exceed $25,000 to abate water leakage issues at the Goodrich II building located at the airport. The building is owned by JSDC and leased to Goodrich. Larry Nohrenberg, Facilities Project Manager – Goodrich Cargo Systems, indicated that the facility had a history of water problems due to a high water table. Drain tile would be installed to prevent any potential mold or other sick building issues. Neys made a motion that was seconded by Marks to approve the request. Roll call vote – Kaiser, Neys, Klose, Ova and Marks voted aye.

Ms. Ova presented a recommendation by the JSDC Board of Directors to use 100% City funds not to exceed $42,000 to pay for the engineering costs to upgrade 3rd Street SE from the BNSF railroad crossing east to the Bloom road. The City would be using $950,000 in Federal stimulus funds for the project, but stimulus funds could not be used to pay for engineering projects. Commissioner Klose questioned the expenditure and referenced a legal opinion by the JSDC attorney, Joe Larson. Mr. Larson opinioned that the expenditure did not meet the objectives and criteria for funding as set forth in JSDC's Bylaws, Policies and Statement. Marks made a motion that was seconded by Ova to deny the request. Roll call vote – Neys, Klose, Ova, Marks and Kaiser voted aye.

A motion was made by Ova and seconded by Neys to approve the site authorizations for Knights of Columbus at Hitching Post Bar, Ypsilanti Bar & Grill, Sportsman Bar and Windsor Bar. Motion carried.

Mike Zimmerman, County Highway Superintendent, reported that he was gathering information for a study on the culvert sizing along the creeks and other water sheds in the County. Many areas have had reoccurring problems with roads and culverts washing out. There were some FEMA funds available, but these funds would only partially underwrite the cost. Ken Dalsted, attorney for the Stutsman County Water Resource Board, indicated that a 30 day notice to the Board was required before resizing of any culvert. Joe Schmidt stated that the County had statutory authority to request the State Engineers office to do the study.

Zimmerman requested permission to hire a temporary employee to assist when an employee goes on maternity leave. He and Johnson would work out the details.

Zimmerman reported that the high water on the grade raise on County Highway 67 south of Cleveland would prevent the road from being paved this year. The 80/20 paving funds could be redirected to another grade raise. A 3' grade raise would cost over $400,000. A concrete rip-rap blanket to prevent wave erosion would cost about $172,000. Kaiser made a motion that was seconded by Marks to survey the elevations of the inlets and outlets on the basin wetland south of Cleveland that County Highway 67 crosses. Motion carried.

Zimmerman estimated the cost to fix the roads damaged by flooding at $7 to $8 million. 80/20 ER funds were available. He would get options for fixing the roads.

Zimmerman had obtained cost estimates to grind up 10 miles of pavement. The estimate was $80,000 plus mobilization. This did not include the County's cost to relay, grade and gravel the recycled pavement. A new grinding machine could be lease/purchased for $77,000 per year. The Commission requested information regarding patching costs on individual roads.

Karen Samek, County Recorder, requested moving an employee from 75% time to full time. Assistance from the Treasurer's office would no longer be available due to a retirement. Marks made a motion that was seconded by Neys to approve the full time employment.

Jan Thompson, County Treasurer, reported that Gayle Lange would be retiring the end of May. The full time position would be reduced to seasonal employment, as needed. Ova made a motion that was seconded by Marks to appoint Jacki Lindell as Deputy Treasurer. Motion carried.

Marks made a motion that was seconded by Ova to use the $4,156.60 under – run funds from the 2007 FEMA reimbursement for a FEMA approved site. Motion carried.

Johnson gave a financial report. Flood related expenses to date were about $450,000. Employee health insurance premiums would increase 35% July 1 for an added cost of $150,000 to the County. An estimate of $450,000 would be committed to township loans. There was approximately $1 million in reserve funds for repairing roads – no other funds were available. Spending that amount would deplete all general fund sub account funds, all highway aid funds, and all road funds. Most reimbursements for flood related road repairs would be 80/20 or 20% County expenses. At an estimated repair cost of $7 to $8 million, the County's share would be $1.4 to $1.6 million.

Kaiser made a motion that was seconded by Marks to accept the bid of Morris Sealcoat and Trucking in the amount of $184,632.84 for the chip sealing projects #'s STM-SC-4718(059) and STM-SC-4718(058). Motion carried.

Joe Schmidt commented on the out-of-state workers at the Great River Energy construction site in Spiritwood Township. He voiced his concerns that these workers were not paying temporary vehicle registration fees and/or state income tax as required by statute. There was a lack of enforcement by state and local officials.

A motion was made by Ova and seconded by Marks to pay $85.00 in taxable meals. Roll call vote – Klose, Ova, Marks, Kaiser and Neys voted aye.

Ova made a motion that was seconded by Marks to pay the mid-month bills. Roll call vote – Ova, Marks, Kaiser, Neys and Klose voted aye.

Fund	Warrant No	Amount	Vendor Name
GENERAL			
	0047218	114.00	ALLTEL
	0047222	90.00	BENDER/STEVE G
	0047223	19.95	BERGQUIST/JERRY
	0047225	54.38	BOB'S PLUMBING & HEATING
	0047228	257.55	C H CARPENTER LUMBER CO
	0047234	261.59	CHADDUCK/LINDA
	0047235	52.63	CMI INC
	0047239	159.42	DACOTAH PAPER CO
	0047243	756.54	DAN'S SOOPER STOP
	0047244	11.00	DEFRIES/JEFF
	0047245	103.82	ECKELBERG/SANDRA
	0047248	34.12	FARMERS UNION OIL CO-CENEX
	0047251	90.00	FETTIG/JIM
	0047254	11.00	HELGESON/JOY
	0047259	14,772.74	INSURE FORWARD
	0047260	55.50	INTOXIMETERS
	0047261	37.52	JAMESTOWN AMBULANCE
	0047263	638.12	JAMESTOWN I-94 SUPER EXPRESS
	0047264	476.87	JAMESTOWN IMPLEMENT
	0047265	1,860.23	JAMESTOWN SUN
	0047269	90.00	JOHNSON/NOEL
	0047272	128.79	KAISER/NORMA
	0047273	112.50	KROPP LAW OFFICES PC
	0047274	1,052.11	M D U
	0047280	50.00	N D CHAPTER OF ASFMRA
	0047282	109.00	ND TREASURER'S ASSOC.
	0047288	139.00	NORTHERN PLAINS ELECTRIC
	0047290	7.84	OFFICELAND
	0047291	3,272.77	OTTER TAIL POWER CO
	0047299	264.00	SCHERR/JODIE KOCH
	0047302	168.87	SMAAGE/JOSH
	0047304	832.25	STOP & GO #431
	0047310	6.00	SUPER WASH
	0047311	146.10	TDS METROCOM
	0047313	10.65	TOBIN/WARREN J

	0047315	40.00	TRAUTMAN/RUSSELL
	0047318	977.93	U S RECORDS
		27,264.79	Final Total
911 EMERGENCY PHONE SYSTEM			
	0047240	523.00	DAKOTA CENTRAL TELECOMMUNICATIONS
	0047241	146.46	DAKOTA CENTRAL TELECOMMUNICATIONS JMTN
	0047259	853.67	INSURE FORWARD
	0047279	7,468.56	N D ASSOCIATION OF COUNTIES
	0047285	846.20	NETWORK CENTER INC
	0047296	1,291.28	QWEST
	0047311	7.89	TDS METROCOM
		11,137.06	Final Total
ROAD FUNDS			
	0047219	132.52	AMERIPRIDE LINEN & APPAREL
	0047221	108.00	BECKER/HARRY
	0047224	5,470.57	BLOOM OIL CO
	0047226	548.10	BUSKNESS/JOHN O
	0047227	1,090.86	BUTLER MACHINERY CO
	0047229	167.76	CALIFORNIA CONTRACTORS SUPPLIES INC
	0047231	788.08	CARQUEST AUTO PARTS
	0047236	5,142.57	CNH CAPITAL
	0047241	163.53	DAKOTA CENTRAL TELECOMMUNICATIONS JMTN
	0047242	6.00	DAKOTA VALLEY ELECTRIC
	0047247	3,345.12	FARMERS UNION OIL CO-CENEX
	0047255	102.02	HOME OF ECONOMY
	0047259	12,245.44	INSURE FORWARD
	0047262	22,755.55	JAMESTOWN COMMUNICATIONS INC
	0047265	283.40	JAMESTOWN SUN
	0047268	389.25	JERRY'S ELECTRICAL REPAIR
	0047270	26,252.58	JOHNSTON FARGO CULVERT INC
	0047274	465.33	M D U
	0047275	205.37	MAC'S INC
	0047277	60.00	MARGIE HANDY WORK
	0047278	666.78	N A P A AUTO PARTS
	0047281	883.95	N W TIRE INC
	0047286	1,072.10	NEWMAN SIGNS
	0047288	45.00	NORTHERN PLAINS ELECTRIC
	0047289	236.37	O'REILLY AUTOMOTIVE INC.
	0047290	63.81	OFFICELAND
	0047291	807.80	OTTER TAIL POWER CO
	0047293	462.47	PRAXAIR DISTRIBUTION INC
	0047295	52.31	QUALITY SERVICE & REPAIR
	0047297	50.00	ROUGHRIDER SIGNS & DESIGNS
	0047300	20.68	SCHUBERT'S CARPET ONE
	0047305	1,746.00	STREETER COOP OIL
	0047307	222.00	STUTSMAN COUNTY AUDITOR
	0047308	353.89	STUTSMAN COUNTY GLASS
	0047309	9,698.03	STUTSMAN COUNTY ROAD DEPT
	0047311	12.12	TDS METROCOM
	0047314	36.25	TRAUT WELLS
	0047316	260.64	TRUDELL
	0047317	50.32	TRUE VALUE HARDWARE
	0047321	347.45	WALLWORK INC/W W
	0047323	71.30	WEST END HIDE & FUR
	0047325	1,970.27	WOODWORTH FARMERS ELEVATOR CO
	0047326	1,464.00	YPSILANTI EQUITY ELEVATOR
	0047328	745.56	ZEP MANUFACTURING CO
		101,061.15	Final Total
SOCIAL SERVICES			
		7,726.62	Final Total
COUNTY PARK			
	0047218	45.51	ALLTEL
	0047259	873.93	INSURE FORWARD
	0047288	824.55	NORTHERN PLAINS ELECTRIC
	0047296	46.49	QWEST
		1,790.48	Final Total
EMERGENCY			
	0047221	306.00	BECKER/HARRY
	0047226	191.70	BUSKNESS/JOHN O
	0047238	1,989.00	CURTIS ELECTRIC
	0047249	287.03	FASTENAL CO
	0047250	762.50	FETTIG/JAMES D
	0047253	665.00	GEROUX/GARRY
	0047267	6,235.00	JERRY IVERSON CONSTRUCTION INC
	0047269	180.00	JOHNSON/NOEL
	0047270	7,664.00	JOHNSTON FARGO CULVERT INC
	0047286	186.00	NEWMAN SIGNS
	0047292	1,365.00	PEUSER CABINETS
	0047319	366.21	VERIZON WIRELESS
	0047329	925.65	ZIMMERMAN/MIKE
		21,123.09	Final Total
COUNTY CORRECTIONAL CENTER			
	0047218	308.32	ALLTEL
	0047259	11,693.03	INSURE FORWARD
	0047274	852.26	M D U
	0047291	5,796.85	OTTER TAIL POWER CO

	0047296	410.26	QWEST
	0047311	104.53	TDS METROCOM
		19,165.25	Final Total
WEED CONTROL			
	0047217	80.00	ALBRECHT/BEN
	0047218	50.37	ALLTEL
	0047237	137.55	CROSSROADS REPAIR LLC
	0047256	211.98	HOME OF ECONOMY
	0047259	771.41	INSURE FORWARD
	0047276	75.00	MANSON/RONALD
	0047290	135.36	OFFICELAND
	0047291	78.77	OTTER TAIL POWER CO
	0047311	1.88	TDS METROCOM
	0047324	75.00	WINDISH/PAT
		1,617.32	Final Total
VETERANS SERVICE			
	0047311	8.38	TDS METROCOM
		8.38	Final Total
COUNTY AGENT			
	0047230	55.00	CANDLEWOOD SUITES
	0047259	435.98	INSURE FORWARD
	0047262	85.00	JAMESTOWN COMMUNICATIONS INC
	0047290	21.88	OFFICELAND
	0047294	140.00	PRESS ROOM/THE
	0047298	13.81	SAHR/EUNICE
	0047307	216.07	STUTSMAN COUNTY AUDITOR
	0047311	133.19	TDS METROCOM
		1,100.93	Final Total
LIBRARY FUND			
	0047220	526.57	BAKER & TAYLOR BOOKS
	0047233	35.94	CENTER POINT LARGE PRINT
	0047237	13.79	CROSSROADS REPAIR LLC
	0047241	49.95	DAKOTA CENTRAL TELECOMMUNICATIONS JMTN
	0047246	111.67	FARMERS UNION OIL CO-CENEX
	0047252	248.17	GALE GROUP/THE
	0047257	401.70	I W I INC
	0047259	545.13	INSURE FORWARD
	0047266	11.92	JENSEN/AGNES
	0047271	27.00	JORGENSON/LA RAE
	0047274	56.24	M D U
	0047291	193.42	OTTER TAIL POWER CO
	0047306	45.00	STRUXNESS/VICKI
	0047320	22.50	VIGESAA/VERNON
	0047327	9.00	ZC HORSES
		2,298.00	Final Total
COURTHOUSE BUILDING			
	0047216	724.65	AIPPERSPACH/BRAD
	0047287	24,674.25	NILL CONSTRUCTION
	0047300	793.32	SCHUBERT'S CARPET ONE
		26,192.22	Final Total
WEED BOARD CAPITAL IMPROVEMENT FUND			
	0047303	1,200.00	SPENNINGSBY/GREG
	0047322	2,750.00	WARNE CHEMICAL & EQUIPMENT
		3,950.00	Final Total
DATA PROCESSING			
	0047232	117.03	CDW GOVERNMENT
	0047258	598.50	INFORMATION TECHNOLOGY DEPT
	0047290	817.96	OFFICELAND
	0047302	103.35	SMAAGE/JOSH
	0047311	3.76	TDS METROCOM
		1,640.60	Final Total
CO EXTENSION FUND			
	0047283	10.00	NDSU AG COMMUNICATION
	0047284	1,148.00	NDSU EXTENSION PESTICIDE PROGRAM
	0047301	471.75	SHADYS RESTAURANT
		1,629.75	Final Total

Kaiser made a motion seconded by Ova to adjourn. At 10:13 a.m. the mid-month meeting of the Stutsman County Commission was adjourned.

ATTEST:

Noel A. Johnson
County COO (Auditor)

Mark Klose
Commission Chairman