Official Proceedings of the Stutsman County Commission – June 16th, 2015

At 8:00 a.m., Chairman Klose called the mid-month meeting of the Stutsman County Commission to order. Mark T. Klose, Dennis Ova, Dale Marks, David Schwartz, and Craig Neys answered the roll call.

Connie Ova, Chief Executive Director of Jamestown Stutsman Development Corp (JSDC), presented a request from JEDS, LLC, building on behalf of Magnum LTL, Inc., to purchase lots 1-3 of I-94 Business Park Addition. Klose stated that the sale was unanimously approved by the JSDC executive board. James Johannesson, Vice President of Operations for Magnum LTL, provided a brief overview of the company stating they provide over-the-road services for various companies in Minnesota, Montana, North Dakota, Nebraska and South Dakota. The Jamestown terminal would be similar to that currently operating in Sioux Falls, SD and would employee approximately seven people by the second year of operations. This terminal would serve an area approximately 150 miles in radius. Ms. Ova stated that Magnum LTL received a ranking of 11 out of a possible 16 under JSDC by-laws.

Ms. Ova also requested that ownership of the unsold lots in I-94 Business Park Addition be transferred to the City of Jamestown. All sales would still be reviewed and approved by the JSDC board but city personnel would complete the required paperwork on the sales. The county would still receive 3% of the purchase price.

A motion to transfer ownership of seven lots in I-94 Business Park Addition from JSDC to the City of Jamestown was made by Schwartz, seconded by Commissioner Ova. In discussion, Marks commented that he originally had reservations about the ownership transfer but was now in favor. Roll call – Ayes – 5, Nays – 0. Motion carried.

A motion to approve the sale of lots 1-3, I-94 Business Park Addition to JEDS, LLC, was made by Schwartz, seconded by Marks. There was no discussion. All commissioners voted "Aye." Motion carried.

Casey Bradley, Stutsman County COO/Auditor presented a letter to the commission in which he discussed 2016 budget levy limits and the county taxable value. The 2015 taxable value will be $103,037,985 which exceeds the 2014 value by $13,071,969 or 14.5%. Of that value 3.7% is directly related to new construction and is new value not related to increases in existing property. Bradley also stated that SB 2144 imposes new requirements on how taxing jurisdictions and agencies requesting funding from the county file their budget requests. The legislation requires all requests to include revenues, expenditures, fund balances, and a complete budget before the Commission can consider the request. Stutsman County currently provides a budget form which meets the legislative requirement to entities but has not enforced completion of the form. Moving forward, if the budget form is not completed, the Commission will have no authority to approve funding for an entity.

Bradley also reviewed cost-of-living adjustments (COLA) for the 2016 budget year. In past years, the county has used CPI Midwest Index as a guide for COLA. From April 2014 to April 2015 the index is trending near zero and preliminary numbers are currently below zero. He indicated that this number may not truly reflect local market and other indicators need to be taken into consideration for the 2016 budget. Health insurance increase will be approximately 7% and preliminary estimate is a reduction of state aid by $70,000. The State of North Dakota has implemented a 3% COLA for its employees. While he is not making any formal recommendation to the Commission at this time, Bradley stated that the county needs to stay competitive with wages to prevent losing employees to the State. The county Wage and Benefit committee will make a recommendation at a later date.

Based on the changes in taxable value, SB 2144 and COLA, Bradley requested that the Commission place a cap of a maximum increase of 3% on all levy and budgetary requests. At a 3% levy limit increase the average taxpayer in Stutsman County will realize a .7% decrease in their county property taxes. The amount of savings will be higher or lower depending on the property's overall relation to the average increases of all properties.

Klose stated that a similar cap was imposed for 2015 budgets.

Commissioner Ova made a motion to approve a 3% budgetary increase cap on all requests for the 2016 budget and all submitted budgets must meet SB 2144 requirements, seconded by Neys. There was no discussion. All commissioners voted "Aye." Motion carried.

Ms. Ova requested that the Commission table the 2016 budget request from JSDC.

A request was made to have Erin Kummer, Deputy County Recorder, approved to perform civil wedding ceremonies for the county. Neys made a motion for said approval, seconded by Commissioner Ova. There was no discussion. All commissioners voted "Aye." Motion carried.

Applications for the renewal of liquor licenses and Sunday alcoholic beverage permits were presented on behalf of Joyce Diede d/b/a Anchor Bar, Wayne and Hilda Kuntz d/b/a Sportsman Bar, Helene and Bradley, Inc. d/b/a Ypsi Bar and Grill and Jamestown Country Club. Sandy Eckelberg, Accounts and Property Coordinator, stated that Carmel Demaray d/b/a Windsor Bar was requesting that her license be approved contingent upon the application being received. Ms. Demaray spoke with Eckelberg on Monday, June 15, 2015 and said that the application had been mailed that day.

A motion was made by Neys to approve the licenses with the license to Demaray being contingent upon the application being received, seconded by Schwartz. There was no discussion. All commissioners voted "Aye." Motion carried.

Mickey Nenow, Highway Superintendent, discussed options for replacing the backhoe. The previous backhoe was damaged in an accident. The insurance value of the old unit was placed at $60,000 less a $1,000 deductible for a net value of $59,000. Nenow indicated this was a fair assessment of the value. Options for a replacement are buying new or used units or leasing. RDO Equipment has a used 2010 John Deere 310 SJ with 2752 hours for sale for $55,500. There would be no warranty on the unit. Titan Machinery also has a used unit with no warranty. Nenow had four price quotes on new units ranging from $95,700 to $99,800.

Titan Machinery, RDO Equipment and Butler Machinery all offer lease options. Nenow indicated that Titan Machinery's lease is for $4,800 per year with a maximum of 400 hours use per year. It is a one-year lease with no "buyout" at the end of the lease and the company provides the first 100 hour service.

Nenow recommended the lease option from Titan Machinery. The old backhoe was used approximately 450 hours per year but the recent purchase of an excavator will reduce that number. Bradley stated that he is typically against leasing, however, because this would be a year-to-year lease, he would be in favor of it. The Commission indicated willingness to revisit the possibility of purchasing a backhoe in the future.

A motion to enter into a one-year lease agreement with Titan Machinery for a backhoe was made by Neys and seconded by Commissioner Ova. There was no discussion. Roll call – Ayes – 5, Nays – 0. Motion carried.

Bradley reported that Troy Lefevre and Warren Tobin will be stepping down from their appointments to the Wage and Benefit committee. The committee is made up of personnel from all the various county departments. He requested that Sue Lloyd, Victim Witness Coordinator for the State's Attorney's Office, and Sarah Van De Velde, Assistant Emergency Manager in the 9-1-1/EMA/Veterans Service departments, be appointed as replacements.

A motion to approve the appointments of Lloyd and Van De Velde to the Wage and Benefit committee was made by Marks, seconded by Schwartz. There was no discussion. All commissioners voted "Aye." Motion carried.

Braun Knutzon and Tracy Wolf d/b/a Memory Fire Works made an application to sell fireworks at 3735 Hwy 281 SE. The $20 fee has been paid.

A motion to approve a license to sell fireworks to Braun Knutzon and Tracy Wolf d/b/a Memory Fire Works was made by Schwartz, seconded by Commissioner Ova. There was no discussion. All commissioners voted "Aye." Motion carried.

Jerry Bergquist, Emergency Manager, reviewed the progress in creating a county Hazard Mitigation Plan (HMP). He stated that in 2013 Stutsman County entered into a contract with South Central Dakota Regional Council (SCDRC) for the creation of an HMP. The contract stated that SCDRC would have the HMP completed by June 1, 2015. The project had been assigned to SCDRC's regional planner, Daniel Schwartz. Bergquist said that Mr. Schwartz was doing a good job and the HMP was approximately 70% complete. On May 18, 2015, Schwartz's employment with SCDRC was terminated. On May 20, SCDRC offered Mr. Schwartz a contract under which he could complete the HMP. Mr. Schwartz did not accept the offer and instead found employment with Wenck Associates, Inc., an engineering firm. In review of the contract between SCDRC and the county, the county has the right to terminate due to the failure of SCDRC to complete the HMP by the designated date. Mr. Schwartz and his employer have indicated a willingness to

finish the HMP. Bergquist has contacted North Dakota Department of Emergency Services (NDDES), who oversees the grant on behalf of FEMA, and received approval for the change of vendor. The grant total was $37,000 with an additional $5,500 in-kind by the county. Bergquist indicated that SCDRC will have to be paid for their services and he feels there will be enough remaining funds to complete the project. He stated that Wenck is willing to negotiate the fee for their services. KLJ, another engineering firm, completed a similar project in nine months. SCDRC has been working on the project for 1 ½ years and is only at 70% completion.

Klose questioned how many man hours would be required to complete the HMP. Bergquist said the estimate is 140 hours. The county may have an option to bill SCDRC for the completion of the HMP. Bradley added that the county could possibly recoup some of the funds paid to SCDRC by withholding a portion of the annual membership fee.

The county's contract with SCDRC requires that requests to terminate must be provided in writing.

A motion to deliver SCDRC a letter of termination of the HMP contract and hire Wenck Associates, Inc. to complete the HMP was made by Commissioner Ova, seconded by Marks. There was no discussion. Roll Call – Ayes – 5, Nays – 0. Motion carried.

A motion to approve the taxable meals and payment of bills as presented was made by Schwartz,
seconded by Commissioner Ova. There was no discussion. Roll Call – Ayes – 5, Nays – 0. Motion carried.

	GENERAL REVENUE FUND			**COUNTY ROADS FUND CONT'D**	
70173	A & B BUSINESS INC	$85.52	70256	TDS METROCOM	$8.74
	ALONGE,JESSICA	$311.63	70257	TITAN MACHINERY - BISMARCK	$6,514.01
	ANDRES,DORINDA	$105.88	70260	VINING OIL CO	$1,061.45
70179	BLUE STAR DRY CLEANING & BEYOND	$8.00	70262	WEST END HIDE & FUR	$75.46
70180	BLUMER, MARK T.	$2,374.20	70264	WOODWORTH FARMERS GRAIN CO	$1,005.79
70182	BROWN & SAENGER	$83.99		**SOCIAL SERVICES FUND TOTAL**	$6,118.12
70183	BROWN,VERN M	$809.96		**COUNTY PARK FUND**	
70186	CENEX FLEETCARD	$1,453.19	70188	CENTURYLINK	$120.21
70189	COLE PAPERS INC	$356.83	70212	INSURE FORWARD	$4,547.21
70192	CREATIVE ENERGY	$544.54	70230	NARDINI FIRE EQUIPMENT OF ND	$607.00
70195	DAKOTA RAIN LAWN IRRIGATION	$21.95		**COUNTY CORRECTIONAL CENTER**	
70199	DJ'S MACHINING	$12.94	70177	ATTORNEY GENERAL OFFICE-1250	$4,595.00
70202	FARMERS UNION OIL CO-CENEX	$54.07	70178	BEHAVIORAL INTERVENTIONS	$3,947.82
70204	GJESDAHL LAW	$5,750.00	70181	BOB'S PLUMBING & HEATING INC	$324.96
70205	GRAYBAR	$505.32	70188	CENTURYLINK	$446.43
70208	HOME OF ECONOMY	$36.51	70189	COLE PAPERS INC	$342.95
70210	INFORMATION TECHNOLOGY DEPT	$143.30	70200	DOWNTOWN DENTAL	$160.00
70212	INSURE FORWARD	$25,249.91	70205	GRAYBAR	$807.64
70216	JAMESTOWN SUN	$1,542.11	70208	HOME OF ECONOMY	$23.45
70218	JOBS HQ	$160.72	70212	INSURE FORWARD	$8,716.05
	LANDSCOOT,MIKE	$ 51.75	70213	JAMESTOWN COMMUNICATIONS INC	$114.00
70221	LEXISNEXIS MATTHEW BENDER	$352.31	70222	MAC'S INC	$28.09
70223	MARQUART,ANDREW S	$793.23	70224	MCKESSON MEDICAL SURGICAL	$360.67
70225	MDU	$1,006.28	70225	MDU	$609.95
70231	NATIONAL PUBLIC SAFETY INFO BUREAU	$169.00	70226	MEDICINE SHOPPE	$1,951.38
70233	NEOFUNDS BY NEOPOST	$2,000.00	70238	PHARMCHEM INC	$475.00
70235	NORTHERN SAFETY TECHNOLOGY INC	$452.09	70239	PHOENIX SUPPLY	$74.00
70237	OTTER TAIL POWER CO	$246.24	70242	PROBUILD	$32.32
70241	PRESS ROOM,THE	$154.00	70245	RECORD KEEPERS	$49.00
70244	QUILL CORPORATION	$153.33	70246	RM STOUDT INC	$95.34
70245	RECORD KEEPERS	$27.00	70253	STUTSMAN COUNTY GLASS	$10.00
70247	SANDNESS LAW OFFICE	$270.00	70256	TDS METROCOM	$120.19
70248	SCHAFFER,DIANNE	$50.00	70261	VISA SCCC 1949	$51.99
70249	SCHERBENSKE INC.	$5.46	70266	COMPUTER INFORMATION SYSTEMS	$1,666.00
70254	SUNSET LAW ENFORCEMENT	$268.35		**WEED CONTROL FUND**	
70256	TDS METROCOM	$180.26	70174	AG SPRAY EQUIPMENT	$54.07
70258	TRANE U.S. INC	$71.56	70193	CROP PRODUCTION SERVICES	$54,081.00
70259	TWO RIVERS PRINTING	$634.00	70208	HOME OF ECONOMY	$47.86
	VAN DE VELDE,SARAH	$105.88	70212	INSURE FORWARD	$4,179.41
70265	ZEISZLER,JON D	$65.01	70219	JOHN DEERE FINANCIAL	$121.87
	E 911 PHONE SYSTEM FUND		70220	LARRY'S AUTO GLASS	$250.00
70190	COMFORT INN BISMARCK	$148.00	70222	MAC'S INC	$216.88
70194	DAKOTA CENTRAL TELECOMMUNICATIONS	$683.38	70229	NAPA AUTO PARTS-WEED	$15.49
70212	INSURE FORWARD	$1,149.91	70232	ND WEED CONTROL ASSOCIATION	$52.00
70256	TDS METROCOM	$21.91		**VETERANS SERVICE FUND**	
	COUNTY ROADS FUND		70256	TDS METROCOM	$4.69
70175	ALLIED ENERGY INC	$1,969.44		**COUNTY AGENT FUND**	
70176	AMERIPRIDE SERVICES	$285.56	70181	BOB'S PLUMBING & HEATING INC	$2,435.93
70184	BUFFALO CITY DIESEL	$1,235.89	70182	BROWN & SAENGER	$80.57
70185	BUTLER MACHINERY CO	$4,232.99	70187	CENTRAL BUSINESS SYSTEMS INC	$616.72
70194	DAKOTA CENTRAL TELECOMMUNICATIONS	$162.74	70198	DAUER'S TROPHIES	$78.80
70196	DAKOTA VALLEY ELECTRIC	$8.00	70212	INSURE FORWARD	$342.85
70197	DAN POLAND MACHINE INC	$146.76		**COMMISSARY FUND**	
70203	FASTENAL CO	$454.50	70239	PHOENIX SUPPLY	$29.75
	GRUENSTEIN,LARRY	$261.63		**DRUG PROGRAM FUND TOTAL**	$1,884.45
70207	HIGH PLAINS WATER	$35.00		**COUNTY CORRECTIONAL CENTER CONSTR FUND**	
70208	HOME OF ECONOMY	$59.99	70250	SOUTH CENTRAL DAKOTA REGIONAL COUNCIL	$553.00
70211	INLAND TRUCK PARTS CO	$2,388.30		**DATA PROCESSING FUND**	
70212	INSURE FORWARD	$45,387.26	70191	COMPUTER INFORMATION SYSTEMS	$33,014.00

70213	JAMESTOWN COMMUNICATIONS INC	$372.00	70201	ESRI	$700.00
70214	JAMESTOWN ELECTRIC	$1,794.88	70210	INFORMATION TECHNOLOGY DEPT	$633.10
70217	JAMESTOWN SUN RD	$180.78	70244	QUILL CORPORATION	$1,045.95
70225	MDU	$214.40		**COUNTY EXTENSION**	
70227	MEDINA CITY AUDITOR	$18.85	70206	HARSTAD,ALICIA	$11.00
70228	NAPA AUTO PARTS	$455.03	70209	HUGO'S 9	$85.70
70234	NEWMAN SIGNS	$29.30		**JOB INCENTIVE FUND**	
70236	NORTHWEST TIRE INC	$33.00	70215	JAMESTOWN STUTSMAN DEVELOPMENT CORP	$21,750.00
70240	PRAXAIR DISTRIBUTION INC	$237.21		**FEMA**	
70243	PRODUCTIVITY PLUS ACCOUNT	$1,292.27		VALLEY SPRINGS TOWNSHIP #57	$130,845.44
70255	SWANSTON EQUIPMENT CO	$681.05			

At 8:43 a.m., a motion to adjourn was made by Schwartz, seconded by Commissioner Ova. Motion carried.

ATTEST:

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Casey Bradley
Auditor/COO

Mark T. Klose
Commission Chairman