Official Proceedings of the Stutsman County Commission – June 18th, 2013

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 the roll call.

Neys made a motion, seconded by Schwartz to approve the liquor license and beer license permit for Cork & Barrel and approve the application for a special event permit for Cork & Barrel at the Masonic Lodge in Bloom Township contingent upon the paperwork being completed. Motion Carried.

Ova made a motion, seconded by Neys to approve the application for a retail firework license for Lake of the Prairie 7:7 Corp at Spiritwood Resort. Motion Carried.

Bids were opened for a motor grader. Bids are as follows: Butler – it is for a 2013 140M2 all-wheel drive grader, gross bid $281,892.00 less trade on John Deere of $62,000.00 for a net bid of $219,892.00 plus a seven year or 7500 hours extended warranty of $13,900.00 with a buy back option after seven years consisting of $138,000.00 for the grader with the snow wing and plow the county will retain; RDO – gross bid $264,500 less trade on John Deere of $51,500.00 for a net bid of $213,000.00 plus a seven year or 7500 hours extended warranty of $22,000.00 with a buy back option after seven years consisting of $133,000.00 for the grader, $135,500.00 for grader and snow wing, $138,000 for grader, snow wing, and plow; ASC Construction Equipment – gross bid $272,742.00 less trade on John Deere of $35,000.00 for a net bid of $237,742.00 plus a seven year or 7500 hours extended warranty of $22,308.00 with a buy back option after seven years consisting of $114,000.00 for the grader, $116,000.00 for the grader and now wing, $120,000.00 for grader, snow wing, and plow. Ova made a motion, seconded by Schwartz to table the award of the motor grader bid. Motion Carried.

Gary Riffe, Jamestown/Stutsman Development Corporation (JSDC) updated the commissioners on the SRF Jamestown growth management progress. Cindy Gray, SRF Consulting, informed the commissioners they are finished with the data collection about the existing land use with-in and surrounding Jamestown, wet land characteristics, land topography. SRF Consulting held a public meeting with each of the townships and the public. The most critical part of the plan is the land use plan for Jamestown, the annexed areas, and the extra-territorial areas. SRF Consulting has shown land use in the extra-territorial zone. The two mile extra-territorial area is mostly zoned agricultural and is not all going to be future development area. SRF Consulting has finished with infrastructure planning and land use proposal. The master plan is ready to be adopted with the inclusion of a correction at the northwest corner of the interchange out by the bypass in Woodbury Township. The land is zoned industrial and will be changed to commercial. The document will be available at the library, Jamestown/Stutsman Development Corporation office, and on the JSDC website.

Gary Riffe, JSDC, requested approval of a reinstatement of the original $100,000 Flex PACE interest buy down funding for Buffalo City Rotisserie Grill. Buffalo City Rotisserie Grill was purchased by the Heyer's. The Flex PACE Buy Down was originally approved in 2011 for $100,000.00. The flex pace buy down was not used by the fiscal year end. The funds were de-obligated since the funds were not used. The Heyer's still need the Flex PACE Interest Buy down funding. Marks made a motion, seconded by Neys to approve the reinstatement of $100,000.00 flex pace interest buy down as presented. Roll call vote: Ova, Marks, Schwartz, Neys, Klose voted aye.

Deb Kantrud, South Central Dakota Regional Council, presented the quarterly report. The South Central Dakota Regional Council (SCDRC) approved seven loans including Two Rivers Printing, Double J Manufacturing, and Dakota Spirit AgEnergy application for Community Development loan funds and governor's fund has been sent to the North Dakota Department of Commerce. Duane Spooner is serving as co-chairman for the Workforce Education Committee and Becky Thatcher-Keller is serving on the Workforce Recruitment Committee. Kantrud and Thatcher-Keller attended the presentation of marketing efforts done by Jamestown College students. The South Central Dakota Regional Center's Small Business Development Center and Jamestown College will continue to work together with this annual project. Deb met with Jamestown/Stutsman Development Corporation and executive committee to discuss USDA Rural Development Rural Business Opportunity Grant (RBOG) application. Dave Halvorson is providing direct services to manufacturers for 2013. Deb Kantrud updated the commissioners on the community development block grant projects. The City of Medina lift station project is five

weeks into the project, site visits were made, and initial funds have been requested. Mary is working with Stutsman County Courthouse on the removal of architectural barriers. The environmental review has been completed and the public hearing has been scheduled for the City of Streeter's water main improvement. The application is in process. The City of Kensal's Memorial Hall's removal of architectural barriers environmental review is the process. The public hearing and application is in process. The Stutsman County James River Senior Center is continuing to work with Lutheran Social Services to identify specific pieces of kitchen equipment. The Small Business Development Center has been very active with numerous clients on a variety of projects in the Stutsman County area. Maxfield Research Inc. has completed their report on the housing study. The press conference will be held Monday, June 17th to release the data and the document is available on the SCDRC's website under housing study. Deb Kantrud stated Becky Thatcher-Keller attended North Dakota Bankers School in Jamestown.

Casey Bradley, Auditor/COO, presented a Stutsman County special assessment policy to the commissioners. Scott Wegner, bond counsel, and Darin Peterka, Interstate Engineering, reviewed the special assessment policy. This policy sets forth the criteria by which the Stutsman County Board of Commissioners will establish Special Assessment Road Improvement Districts. The following criteria must be met or completed in order for Stutsman County Board of Commissioners can consider a request to establish a special assessment district: the project cost must exceed $100,000.00, an interested party must act as a sponsor to represent the user group desiring the improvement, the sponsor must contact Stutsman County Auditor to explain the type of improvement desired and the exact extent of the improvement area, if the project is feasible the Stutsman County Auditor shall direct the sponsor to obtain a formal engineering cost proposal from a licensed engineer, the proposal must be in accordance with the federal highway aid standards for construction in accordance with AAHSTO guide for pavement structure at the responsibility of the sponsor, the Stutsman County Auditor will issue a petition for paying improvements to the sponsor upon receipt of a satisfactory cost proposal, the sponsor shall be responsible to circulate the full petition and engineering cost proposal to all benefited property owners, the sponsor shall be responsible to obtain a minimum of 60% of the signatures from benefiting properties and 60% of benefiting owners indicating their approval of the project, the sponsor shall obtain a letter of support from the township board or city council for which all benefiting properties in the proposed project district are located. Upon receipt of a qualified petition and letters of support the Stutsman County Auditor shall convene the Special Assessment Screening Committee to review the petition and letters of support in order to make a recommendation to the Stutsman County Board of Commissioners on how to proceed with the project. The screening committee will consider the petition, the feasibility of the project, the predictability of solvency of the district, the opinion of bond counsel, and will make a recommendation to the Stutsman County Board of Commissioners. The application fee is $1,000.00 with a three percent administration fee. The administration fee has a cap at $10,000.00. The excess fee will go toward the IT budget to pay for the software needed to manage assessment districts. Schwartz made a motion, seconded by Ova to approve the special assessment policy as written. Roll call vote: Marks, Schwartz, Neys, Klose, Ova voted aye.

Neys made a motion, seconded by Schwartz to appoint Elizabeth E. Koenig to the Central Valley Health Board, Elizabeth E. Koenig to the Housing Authority, Corey Bayer to the City of Jamestown Planning and Zoning Board, and continue to work on filling the School Reorganization District #2 board opening. Motion Carried.

Casey Bradley, Auditor/COO, presented the 2013 Stutsman County salary survey from Springsted Incorporated. The total estimated cost of the survey was $10,700.00. Springsted surveyed numerous organizations such as: Barnes County, ND; City of Jamestown, ND; Richland County, ND; Williams County, ND; James River Correctional Center, ND; Brown County, SD; Rolette County, ND; Ward County, ND; Stark County, ND; Codington County, SD; and Morton County, ND. Springsted presented two results to Stutsman County; one with Ward County included and one with Ward County included. Countywide the results with Ward County were about 6.82% under market and without Ward County the results were about 3.10% under market. The consensus of the Personnel Committee is to utilize the survey results without Ward County's figures for nearly all positions. Each position surveyed was reviewed by the committee to determine the similarity of our positions to those that were surveyed. Some survey results indicated we are over market with some positions and the county is under market with some positions. Some positions were over market because the county has higher requirements for the position while some positions were under market due to utilization of staff. The Personnel Committee recommendation is to implement one-third of the salary survey in 2014 and two-thirds in 2015, implement a step increase for all not impacted by the survey, implement a three percent cost of living allowance,

finalize implementation of the HAY Study without step increases for impacted staff, implement the two percent increase for NDPERS retirement as an employee cost rather than an employer cost, opt into the non-grandfathered health plan and implement employee contributions of 20% for a family plan, and 10% for a single plan.

At 9:10 a.m., the Stutsman County Commission Meeting recessed for the Stutsman County Park Board Meeting.

Official Proceedings of the Stutsman County Park Board – June 18th, 2013

At 9:11 a.m., Chairman Klose called the special meeting of the Stutsman County Park Board to order. Denny Ova, Dale Marks, David Schwartz, Robert Woodward, Jason House, Craig Neys, and Mark T. Klose answered the roll call.

Ova made a motion, seconded by Houge to approve the request from the Cabin Road Committee to gravel and grade specified cabin roads. Motion Carried.

Commissioner Klose updated the board on the carp issue. Klose was contacted from a citizen who is hosting a family reunion at the Jamestown Reservoir. He expressed concern and was wondering how bad the carp issue is. Gene Van EckHout, Game and Fish Department, stated to let Mother Nature take care of it. The Game and Fish Department does not have the man power to take care of this issue. Dennis Lorenz, County Park Superintendent, is loading approximately 65-70 carp per load and the Park Department is hauling four to six loads per day. The Park Department is cleaning the beach area one to two times early in the morning. The Dakota Anglers group was contacted about getting volunteers to help clean the dead carp off the shoreline. There were no volunteers. There is no way of knowing how long this issue will continue and no way of controlling it. Pipestem Dam has not been affected by this disease.

Dennis Lorenz stated people have been throwing their trash at Ypsilanti Park. Lorenz requested to call for pricing on renting a dumpster for people to throw their trash in for the Ypsilanti Park. It was the consensus of the board to call around for pricing.

At 9:26 a.m., a motion to adjourn the Stutsman County Park Board meeting was made by Houge, seconded by Ova. Motion Carried.

At 9:26 a.m., the Stutsman County Commission Meeting reconvened.

Schwartz made a motion, seconded by Marks to approve the low water crossing memorandum of understanding between Stutsman County and Sydney Township. Roll call vote: Schwartz, Neys, Klose, Ova, Marks voted aye.

A question was raised regarding the distance of the concrete mesh on the low water crossing. It was suggested to lengthen the concrete mesh. This would give the county a higher flow rate and it would take a greater event to wash out the crossing. The water would start over flowing the low water crossing at 1462 feet in elevation. If the county would lengthen the concrete mesh to 1465 feet it would cost approximately $11,400.00. If the county lengthens the concrete to 1467 feet it would cost approximate $64,400.00. Marks made a motion, seconded by Ova to approve the addendum to the low water crossing design and go with the 1,465 elevated feet design. Motion Carried.

Ova made a motion, seconded by Marks to approve to advertise to bid for the low water crossing project as presented. Motion Carried.

Bradley, Auditor/COO, presented a proposal from Tyler Technology Taxation Software Solutions. This software will be shared with the City of Jamestown and will cost approximately $15,382.00 for the software and training; the annual maintenance fee is $1,094.00. Marks made a motion, seconded by Schwartz to approve the Tyler Technology Taxation Software Solutions Proposal as presented. Motion Carried.

Casey Bradley, Auditor/COO, informed the commissioner on the Spiritwood Energy Park Road project is stalled. The local officials at Cargill wanted to get half the value in paving and the other half of the value as in-kind to the project. Their attorneys and accountants are not comfortable with the tax ramifications that would be created by this arrangement. The Spiritwood Energy Park Road has been put on hold. The current offer is to pay full appraised

value of $130,000 in lieu of the in-kind work for the approximate 30 acres needed which is in the budget. Cargill's corporate policy is not to give warranty deeds; they will only do a quit claim deed. There is some risk to the county due to the fact the title is not guaranteed. Cargill or their successor has owned the property for thirty plus years. Interstate Engineering and Noel Johnson has researched the deeds through the processes of the project. They did not find anything. Joe Larson, Attorney, drafted the agreements for the county. It was his opinion there was minimal risk, however, as an attorney he had to disclose the potential of the risk. Ova made a motion, seconded by Neys to approve the quit claim deed for the Proposed Spiritwood Energy Park Road contingent upon the necessary paperwork being completed. Motion Carried.

Schwartz made a motion, seconded by Marks to approve acquisition of road contingent upon acquiring the right of way, going out for bid, quit claim deed with the township; dependent upon the necessary paperwork being completed. Motion Carried.

Marks made a motion, seconded by Neys to approve the taxable meals and mid-month bills. Roll Call vote: Neys, Klose, Marks, Ova, Schwartz voted aye.

GENERAL
0063262 153.67 A & B BUSINESS INC;0063264 15.00 ANDERSON/RYAN;0063265 260.51 APPLE TIME INC;0063268 91.95 BROWN & SAENGER;0063272 21.00 CASS COUNTY SHERIFF'S DEPT; 0063276 8.13 CITY OF JAMESTOWN;0063277 69.00 COMFORT INN;0063279 942.79 CREATIVE ENERGY;0063285 2,035.00 DKK GUARDIANSHIP SERVICES INC;0063286 108.00FARMERS UNION OIL CO-CENEX;0063287 104.64 FARMERS UNION OIL CO-CENEX;0063290 189.77 GRAYBAR; 0063292 35.47 HEBRON BRICK SUPPLY CO;0063296 65.95 INFORMATION TECHNOLOGY DEPT; 0063299 133.50 JAMES RIVER PEST CONTROL & GREEN LAWNS;0063300 1,015.91 JAMESTOWN I-94 CLARK;0063303 1,547.28 JAMESTOWN SUN;0063305 440.84 JOBS HQ;0063306 54.00 KAISER/CHAD;0063307 50.00 LANDSCOOT/MIKE;0063308 319.05 LEXISNEXIS MATTHEW BENDER; 0063312 92.50 MARTINIZING DRY CLEANING;0063313 609.83 MDU;0063314 113.00 MICHEL/LYNDSEY;0063322 187.00 NORTHERN PLAINS ELECTRIC;0063327 3,327.19 OTTER TAIL POWER CO;0063328 122.95 PFC PRODUCTS INC;0063332 70.97 PROBUILD;0063338 810.00 SANDNESS LAW OFFICE;0063339 50.00 SCHAFER/SHAUN;0063341 126.40 SIMONSON LUMBER & HARDWARE;0063346 168.53 TDS METROCOM;0063348 201.60 TRAUT LAWN IRRIGATION INC; 0063349 40.00 TRAUTMAN/RUSSELL;0063352 124.30 VAN DE VELDE/SARAH;0063358 40.39 WILHELM CHEVROLET BUICK GMC
911 EMERGENCY PHONE SYSTEM
0063266 69.00 BERGQUIST/JERRY;0063273 189.25 CDW GOVERNMENT;0063275 1,313.34 CENTURYLINK;0063277 207.00 COMFORT INN;0063282 743.41 DAKOTA CENTRAL TELECOMMUNICATIONS JMTN;0063346 8.34 TDS METROCOM;0063352 187.65 VAN DE VELDE/SARAH
ROAD FUNDS
0063263 371.28 AMERIPRIDE SERVICES;0063267 1,884.00 BERT'S TRUCK EQUIPMENT;0063270 2,877.10 BUTLER MACHINERY CO;0063271 163.99 CARQUEST AUTO PARTS;0063279 2,897.62 CREATIVE ENERGY;0063283 161.92 DAKOTA CENTRAL TELECOMMUNICATIONS JMTN;0063284 8.00 DAKOTA VALLEY ELECTRIC;0063288 46.98 FASTENAL CO;0063291 50.85 GRUENSTEIN/LARRY; 0063293 275.07 HOME OF ECONOMY;0063298 197.00 INSURE FORWARD;0063304 281.60 JAMESTOWN SUN;0063310 118.92 MAC'S INC;0063313 213.47 MDU;0000001 18.15 MEDINA CITY AUDITOR;0063317 726.62 NAPA AUTO PARTS;0063323 354.85 NORTHWEST TIRE INC;0063325 5.84 O'REILLY AUTOMOTIVE INC;0063327 355.28 OTTER TAIL POWER CO;0063329 5,057.61 POWER PLAN;0063330 446.23 PRAXAIR DISTRIBUTION INC;0063331 221.03 PROBUILD;0063333 366.96 QUALITY SERVICE & REPAIR;0063334 93.42 RDO TRUCK CENTERS;0063336 127.42 RM STOUDT INC;0063337 256.08 SAFETY KLEEN CORP;0063343 2,355.77 SMOKIE'S FIRE SALES & SERVICE INC;0063344 390.00 STUTSMAN COUNTY GLASS;0063346 16.36 TDS METROCOM; 0063351 310.30 UPS STORE 6212;0063353 19.98 VINING OIL CO;0063354 782.34 VISA RD 3599;0063357 218.00 WEST END HIDE & FUR;0063359 125.36 WILHELM CHEVROLET BUICK GMC; 0063360 1,715.00 WOODWORTH FARMERS GRAIN CO;0063361 876.06 3-D SPECIALTIES INC; SOCIAL SERVICES FUND TOTAL 639.63
COUNTY PARK
0063274 235.75 CENTRAL DAKOTA SANITATION INC;0063275 106.13 CENTURYLINK;0063355 251.10 WALMART COMMUNITY BRC
COUNTY CORRECTIONAL CENTER
0063269 121.48 BROWN/DORINDA;0063275 441.07 CENTURYLINK;0063298 849.00 INSURE FORWARD;0063313 573.01 MDU;0063320 30.00 NDPOA;0063327 5,775.89 OTTER TAIL POWER CO;0063346 116.98 TDS METROCOM
WEED CONTROL

0063280 54,471.40 CROP PRODUCTION SERVICES;0063289 20.77 GCR TIRE CENTERS;0063294 282.42 HORVICK MFG CO;0063298 64.00 INSURE FORWARD;0063301 14.64 JAMESTOWN IMPLEMENT;0063309 920.97 LOCATORS & SUPPLIES, INC.;0063311 318.14 MAC'S INC;0063315 135.78 MOTOR WORKS;0063316 144.55 NAPA AUTO PARTS;0063318 11.50 ND DEPT OF TRANSPORTATION;0063321 100.00 NDSU EXTENSION PESTICIDE PROGRAM;0063324 444.64 NORTHWEST TIRE INC;0063327 107.50 OTTER TAIL POWER CO;0063340 80.00 SCHOELER/DANIELLE;0063345 60.96 STUTSMAN RURAL WATER DISTRICT;0063356 80.00 WEGNER/CODY
VETERANS SERVICE
0063273 236.49 CDW GOVERNMENT;0063346 5.21 TDS METROCOM
COUNTY AGENT
0063268 92.47 BROWN & SAENGER;0063281 112.08 DAKOTA CENTRAL TELECOMMUNICATIONS; 0063335 113.00 RITTENBACH/CHRISTINA;0063347 10.24 TDS METROCOM
EMPLOYEES HOSPITAL INS
0063319 3,875.52 NDPERS
COURTHOUSE BUILDING
0063326 26,500.00 OTIS ELEVATOR COMPANY
DATA PROCESSING
0063273 1,295.90 CDW GOVERNMENT;0063278 2,788.38 COMPUTER PROFESSIONAL ULTD INC; 0063296 598.20 INFORMATION TECHNOLOGY DEPT;0063342 67.80 SMAAGE/JOSH;0063350 3,341.74 TYLER TECHNOLOGIES INC
CO EXTENSION FUND
0063268 4.90 BROWN & SAENGER;0063295 23.11 HUGO'S 9
GRANTS
0063297 10,000.00 INSTITUTE OF LOCAL GOVT
JOB INCENTIVE FUND
0063302 29,025.05 JAMESTOWN STUTSMAN DEVELOPMENT CORP

At 9:44 a.m., a motion to adjourn was made by Marks, seconded by Schwartz. Motion Carried.

ATTEST:

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Casey Bradley	Mark T. Klose
Auditor/COO	Commission Chairman