Official Proceedings of the Stutsman County Commission – July 24th, 2012

At 8:00 a.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.

Jim Fettig, Courthouse Maintenance Supervisor, updated the board on the front of the Memorial Building. An idea was presented to rhino line the front of the Memorial Building. Klein's Collision Center did not recommend to rhino line the front panels on the Memorial Building. The House of Glass, Aberdeen, SD, submitted a proposal to replace ten panels. It would cost approximately $3,933.00 for the materials, caulk, installation, and mileage for the ten panels. Jim would like to get other estimates. Ova made a motion, seconded by Schwartz to advertise for bids for the panels on the Memorial Building. Motion Carried.

Jim informed the board that Stutsman County will advertise for bids on the Courthouse Roof the first part of August with the bid opening at the August 21st, 2012 meeting. The bids will have two parts: the estimate on what it will cost to do the roof this year by November 22nd, 2012 and what the cost will be if the roof is done next year by June 2013. It is the consensus of the board to go ahead and advertise before the next commission meeting.

Connie Ova, Jamestown/Stutsman Development Corporation, requested a Flex PACE Interest Buy Down for Cherry Berry and Coffee Shop. The request is for up to $54,000.00. This is an 80%/20% match with the county's portion being $10,800.00. Connie went over some of the requirements, procedures, and policies for the Flex PACE Interest Buy Down program. Cherry Berry will be locating in the Sara Lee Bakery building at 2505 6th Ave SW; Jamestown, ND 58401. The Cherry Berry Company will employ three full-time employees and one part-time employee at approximately $8.00 per hour. Neys made a motion, seconded by Ova to approve the request as presented. Clarice Liechty spoke in opposition of the request. Roll call vote: Ova, Marks, Schwartz, Neys, Klose voted aye.

Connie presented the JSDC 2013 budget draft to the commission board. The budget is on an 80/20 split between the city and the county. The information will be included with the other budget requests and evaluate it as a group.

Ova made a motion, seconded by Schwartz to approve the gaming site authorization for North Dakota Buffalo Foundation at the Jamestown Country Club. Motion Carried.

Renee Valenta, Interim Treasurer, presented the Pledge of Securities as follows: (institution, total deposit, and securities pledged) Bank Forward, $745,720.34, $868,242.74; First Community Credit Union, $1,900,458.90, $2,274,996.00; Gate City Bank, $225,500.00, $225,500.00; Northland Financial, $240,000.00, $240,000.00; Unison Bank, $2,667,654.85, $3,756,259.80; US Bank, $550,000.00; $635,084.26; Wells Fargo, $11,327,722.66, $12,685,487.93. Schwartz made a motion, seconded by Neys to approve the pledge of securities as presented. Motion Carried.

Renee introduced April Anderson. April replaced Lindsey Baumgartner in the Deputy Treasurer position. Marks made a motion, seconded by Schwartz, to approve adding April Anderson, Deputy Treasurer and removing Lindsey Baumgartner, signature on all of the bank accounts. Motion Carried.

Mickey Nenow, County Highway Superintendent, requested approval for donation of leave for a road department employee. Schwartz made a motion, seconded by Marks to approve the request. Roll call vote: Marks, Schwartz, Neys, Klose, Ova voted aye.

Mickey requested approval to purchase an office desk for the highway department secretary. Mickey received several estimates. Quill was the lowest estimate at $1,500.00. Schwartz made a motion, seconded by Marks to approve the request. Motion Carried.

Jerry Bergquist, 911 Emergency Manager/Coordinator, updated the commission board on the 911 equipment bids that were opened at Richland County's commission meeting. Three bids were received. They are as follows: Emergent Communications did not fulfill the bid requirements and the bid was returned back to the company; Independent Emergency Services, $267,675.55 for the shared next generation 911 system, plus employee training, 24x7 monitoring and diagnostics, and bid alternatives for a total cost of $351,407.19; and Jamestown Communications/Midkota Communications had two options: option one is a total cost of $290,624.00 which included the shared next generation 911 system, employee training, and bid alternatives; option two was $280,648.80 for the shared next generation 911 system and employee training. The maintenance agreements were not included in the costs listed above. Richland County tabled the award of bids until the next meeting, August 6th, so they can evaluate the bids. Neys made a motion, seconded by Ova to table the award of bids until the next meeting. Motion Carried.

Jerry requested consideration of North Dakota Association of Counties Joint Powers Agreement for 911 Services. Stutsman County currently has a joint powers agreement with the Association of Counties. This agreement is for the purpose of statewide coordination and contracting to implement the networking, equipment, testing, and ongoing services necessary for Emergency Services Communications (9-1-1) in the Next Generation (IP) environment. Schwartz made a motion, seconded by Ova to enter into the joint powers agreement as presented. Roll call vote: Schwartz, Neys, Klose, Ova, Marks voted aye.

Steve Thompson, Interstate engineering, requested reauthorization for projects CER-4742(052) and CER-4742(061) which is known as the Larson and Enzminger grade raise. Stutsman County commission did approve the Larson and Enzminger projects at a previous commission meeting. Our portfolio holders for the highway department and representatives from the highway department toured the eight project concept sites that were presented for approval at the last commission meeting. They also toured the Larson and Enzminger grade raise projects. It was the portfolio holders for the highway department's opinion that Stutsman County could see some substantial savings on those two projects. Stutsman County notified the state and had the Larson and Enzminger grade raise removed from the bid list. The North Dakota Department of Transportation (DOT), the federal highway commission, and Stutsman County officials toured the eight project concept sites as well as the Larson and Enzminger projects. The representatives discussed various options that might be available. Steve is presenting some recommendations from the Department of Transportation and Federal Highway Department. Interstate Engineering will rework the eight projects that were presented based on the information from the two organizations. If the board accepts what is presented on the Larson and Enzminger grade raise, it will go back up to DOT with a bid letting on August 24th, 2012. These projects will be bid and hopefully completed this year. Stutsman County has two options for the respective grade raises: option one is a 55 mile/hour with no berm and a 12 foot clear zone and option two is a 40 mile/hour with no berm and a seven foot clear zone with signage. Enzminger grade raise originally was $830,698.08; the 55 mile/hour option would be $685,092.48; the 40 mile/hour option would be $509,166.24. Larson grade raise

originally was $598,013.23; the 55 mile/hour option would be $478,485.71; the 40 mile/hour option would be $368,741.31. A question was raised if the road would be wide enough for two lanes of traffic and if we could eliminate the floating silk curtain. The floating silk curtain cannot be eliminated from the project. The road would be wide enough for two lanes of traffic. Marks made a motion, seconded by Schwartz to approve the request for reauthorization with the 40 mile/hour option on both projects CER-4742(052) and CER-4742(061). Roll call vote: Neys, Klose, Ova, Marks, Schwartz voted aye.

Interstate Engineering was asked to redesign these eight projects. They will be reworking the projects and presenting the projects for final approval at the August 21st, 2012 commission meeting. Steve updated the board for the following project concept reports: J11-00-171, Spiritwood North, CER-4745(058); J11-00-172, Cleveland South 3, CER-4717(086); J11-00-173, Gefroh, CER-4717(087); J11-00-174, S of 38 (1), CER-4717(088); J11-00-175, S of 38(2), CER-4717(089); J11-00-178, west side Streeter, CER-4746(054); J11-00-179, 3 west of Streeter, CER-4746(055); J11-00-180, 1 North of Gackle, CER-4717(091).

Mr. Jerry Szarkowski, RTS Shearing, requested to speak to the commission board regarding several issues on the Stink Lake Project. Mr. Szarkowski requested Stutsman County to waive damages in regards to the non-compliance of the completion date. Ova made a motion, seconded by Schwartz to reject the request as presented. Roll call vote: Klose, Ova, Marks, Schwartz, Neys voted aye.

Mr. Szarkowski requested to waive a deduction on the rock classification specifications. Mr. Szarkowski used a class 13 rock and the bid specifications stated that a class five (5) rock was to be used. Interstate Engineering believes that a class five rock is a cleaner aggregate; class 13 has a more retained. Interstate noticed that the aggregate looked a little dirty. They took preliminary samples and informed the contractor that the pit they were using would probably not pass inspection. RTS Shearing chose to use the pit anyway. It is of Interstate Engineering's opinion that class 13 is dirtier, it will bind better and stick to the road better, but it will get muddy. The deduction is approximately in the amount of 800 yards at approximately $3.00/yard which is $2,400.00. Ova made a motion, seconded by Neys to reject Mr. Szarkowski's request to waive the rock classification deduction. Roll call vote: Ova voted aye, Marks voted nay, Schwartz voted aye, Neys voted aye, Klose voted aye. Motion Carried.

RTS Shearing was notified that upon final inspection of the Stink Lake Project the rip rap was thin in approximately two dozen areas. Mr. Szarkowski requested to utilize old Highway 10, which is classified as a no-haul road, to bring in the additional required rip rap. Neys made a motion, seconded by Ova to deny the request to utilize old Highway 10. Roll call vote: Marks, Schwartz, Neys, Klose, Ova voted aye.

Mr. Gene Guthmiller addressed some concerns regarding the Stink Lake Project. Gene's concerns are the responsibility of Interstate Engineering. The project has not been signed off on. Stutsman County raised concerns as well. Interstate Engineering will be addressing the issues with RTS Shearing.

Ova made a motion, seconded by Schwartz to approve the taxable meals and mid-month bills for payment. Roll call vote: Schwartz, Neys, Klose, Ova, Marks voted aye. A question was raised regarding a payment to Game and Fish Department.

GENERAL
0060017 139.70 A & B BUSINESS INC;0060019 262.90 BJUR/MICHELLE;0060030 276.00 COMFORT INN;0060032 302.68 CURTIS ELECTRIC;0060036 487.31 DAN'S SOOPER STOP;0060037 2,035.00 DKK

GUARDIANSHIP SERVICES INC;0060039 60.00 EHRLICH/BRIAN;0060043 1,200.00 GACKLE AMBULANCE SERVICE;0060046 1,979.50 GUN & REEL SPORTS INC;0060047 180.50 HESS/KEITH;0060050 56.70 INFORMATION TECHNOLOGY DEPT;0060052 1,050.05 JAMESTOWN I-94 CLARK;0060054 108.00 JAMESTOWN REGIONAL MEDICAL CENTER;0060057 201.01 LEXISNEXIS MATTHEW BENDER;0060060 228.12 MDU;0060066 6.50 ND DEPT OF MOTOR VEHICLE;0060068 480.00 ND STATE RADIO COMMUNICATIONS;0060070 360.00 NDAAO;0060073 71.40 OVA/DENNIS;0060078 128.72 QUILL CORPORATION;0060081 325.31 RICK'S T V;0060082 73.71 RM STOUDT, INC;0060085 517.50 SANDNESS LAW OFFICE;0060088 138.60 SEVEN SEAS MOTOR INN;0060090 566.05 STOP & GO #431;0060092 100,000.00 STUTSMAN COUNTY CORRECTIONAL CENTER;0060094 6.00 SUPER WASH;0060095 172.19 TDS METROCOM;0060101 55.50 VOGEL/JASON;0060103 277.80 WAUKESHA COUNTY TECHNICAL COLLEGE;0060106 61.47 5 STAR EXPRESS LUBE

911 EMERGENCY PHONE SYSTEM

0060033 469.00 DAKOTA CENTRAL TELECOMMUNICATIONS;0060034 148.56 DAKOTA CENTRAL TELECOMMUNICATIONS JMTN;0060056 86.64 JAMESTOWN SUN;0060065 1,452.04 ND ASSOCIATION OF COUNTIES;0060071 257.50 NETWORK CENTER COMMUNICATIONS;0060080 8,594.85 RICHLAND COUNTY COMMUNICATIONS/911;0060095 24.77 TDS METROCOM

ROAD FUNDS

0060018 53.00 ARNESON INC;0060020 31,082.85 BORDER STATES PAVING INC;0060022 3,792.94 BUTLER MACHINERY CO;0060023 74,645.70 CALUMET SUPERIOR LLC;0060024 3.10 CARQUEST AUTO PARTS; 0060025 101.40 CENTRAL BUSINESS SYSTEMS, INC;0060029 334.25 CNH CAPITAL;0060034 165.59 DAKOTA CENTRAL TELECOMMUNICATIONS JMTN;0060035 7.00 DAKOTA VALLEY ELECTRIC;0060041 3,174.70 FARMERS UNION OIL CO-CENEX;0060042 106.56 FASTENAL CO;0060044 571.68 GCR TIRE CENTERS;0060056 71.30 JAMESTOWN SUN;0060058 122.22 MAC'S, INC;0060060 102.65 MDU;0060061 15.15 MEDINA CITY AUDITOR;0060064 670.32 NAPA AUTO PARTS;0060072 13.00 OTTER TAIL POWER CO; 0060074 200.00 PETROLEUM TANK RELEASE COMP;0060075 18,975.00 POWER PLAN;0060076 220.47 PRAXAIR DISTRIBUTION, INC;0060077 42.42 QUALITY SERVICE & REPAIR;0060079 112.71 RDO TRUCK CENTERS;0060087 149.88 SEARS COMMERCIAL ONE;0060091 2,672.00 STREETER COOP OIL;0060093 38,853.45 STUTSMAN COUNTY TREASURER;0060095 19.72 TDS METROCOM;0060097 32.98 TRACTOR SUPPLY CREDIT PLAN;0060098 23,243.48 TRUE NORTH STEEL;0060099 327.80 VERIZON WIRELESS;0060100 2,893.45 VINING OIL CO;0060104 123.16 WEST END HIDE & FUR

SOCIAL SERVICES FUND TOTAL 1799.01

COUNTY PARK

0060026 120.64 CENTURYLINK;0060102 51.73 WALMART COMMUNITY BRC

COUNTY CORRECTIONAL CENTER

0060026 272.59 CENTURYLINK;0060060 9.73 MDU;0060095 77.87 TDS METROCOM

WEED CONTROL

0060021 21.89 BROWN & SAENGER;0060027 16.28 CITY OF JAMESTOWN;0060031 23,828.00 CROP PRODUCTION SERVICES;0060049 23.13 INFINITY BUILDING SERVICES;0060051 157.50 INGSTAD FAMILY MEDIA;0060053 57.00 JAMESTOWN IMPLEMENT;0060056 179.40 JAMESTOWN SUN;0060059 413.58 MAC'S, INC;0060063 22.45 NAPA AUTO PARTS;0060072 68.16 OTTER TAIL POWER CO;0060095 71 TDS METROCOM;0060099 103.42 VERIZON WIRELESS;0060106 171.14 5 STAR EXPRESS LUBE

VETERANS SERVICE

0060021 43.67 BROWN & SAENGER;0060095 6.00 TDS METROCOM

COUNTY AGENT

0060033 112.08 DAKOTA CENTRAL TELECOMMUNICATIONS;0060096 5.52 TDS METROCOM

COMMISSARY

0060069 4,809.91 ND STATE TAX COMMISSIONER

DRUG PROGRAM FUND TOTAL 8131.00

COURTHOUSE BUILDING
0060048 217.42 IDVILLE;0060086 600.00 SCHUMACHER CONSTRUCTION, INC
DATA PROCESSING
0060040 400.00 ESRI;0060045 1,100.00 GEOLAND MANAGEMENT LLC;0060050 693.20 INFORMATION TECHNOLOGY DEPT;0060089 111.03 SMAAGE/JOSH;0060095 2.55 TDS METROCOM
GAME & FISH
0060067 57,341.00 ND GAME & FISH DEPARTMENT
JOB INCENTIVE FUND
0060055 36,000.00 JAMESTOWN STUTSMAN DEVELOPMENT CORP
FEMA FUNDS
0060038 16,907.87 EDMUNDS TOWNSHIP #15;0060083 57,740.35 ROSE TOWNSHIP #46;0060084 315,499.56 RTS SHEARING;0060105 480.00 WESTERN PLAINS CONSULTING, INC

At 9:57 a.m., a motion to adjourn was made by Ova, seconded by Neys. Motion Carried.

ATTEST:

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Casey Bradley
Auditor/COO

Mark T. Klose
Commission Chairman