Official Proceedings of the Stutsman County Commission

August 2, 2011

At 4:00 p.m., Chairman Klose called the regular meeting of the Stutsman County Commission to order. Dale Marks, David Schwartz, Craig Neys and Mark T. Klose answered roll call. Absent was Dennis Ova.

A motion to approve the minutes from the July meetings was made by Neys and seconded by Schwartz. Motion carried.

Toni Hible, County Tax Director, requested approval of out-of-state travel to attend an appraisal school the week of September 19, 2011 in Pierre, SD. Marks made a motion seconded by Schwartz to approve the travel request. Motion carried.

A motion to approve the site authorizations for the ND Buffalo Foundation at the Jamestown Country Club and at the Stutsman County Fair Grounds Beer Garden was made by Schwartz and seconded by Neys. Motion carried.

Quotes for the ER grade raise projects 47-1, 47-2, 47-3, 47-4, 47-8 and 47-9 were opened. Bidders bonds were reviewed and approved by State's Attorney Fritz Fremgen. Quotes were as follows: Guthmiller Earthmoving, Inc. – 47-2 $149,199.93; 47-8 $487,425.98; 47-9 $569,319.81; Lindberg Brothers Inc. – 47-1 $630,304.00; 47-4 $679,363.00; 47-8 $1,033,458.00. No bids were received for ER project 47-3. Steve Thompson, Interstate Engineering, stated that a couple of the bids were substantially over the estimates. Thompson said that he would visit with ND DOT regarding the bid quotes. September 18, 2011 was the ending date for 100% reimbursement for ER projects. After that date the projects become 80/20 – 20% County. Thompson would review the bids and come back into the meeting after the Park Board Meeting.

Clarence Daniel and Dale Van Erem, Representatives from Spiritwood Township and Doug Jacobson, Superintendent of Barnes County North School District were present for the new – expanding business property tax exemption hearing for a 60 million gallon corn based biorefinery in Spiritwood Township. A motion to waive the requirement of the competitive business notification was made by Marks and seconded by Schwartz. Motion carried. Noel Johnson, COO, reviewed the request from Dakota Spirit AgEnergy for a 10 year property tax exemption – years 1-6 (100%), year 7 (80%), year 8 (60%), year 9 (40%) and year 10 (20%). Klose asked how this request compared to the previous request from Newman Group. Johnson stated that it was very similar. Al Christianson, Director, Government Affairs for Dakota Spirit AgEnergy, stated that to make this business viable, his company needed to look at options that existed, and based on the County's favorable history for value added agriculture they felt this was an appropriate action to do. Mr. Jacobson questioned if Dakota Spirit AgEnergy had any experience with other counties, townships and/or school districts within the state and if it was consistent with other requests. Christianson stated that McLain County for Blue Flint Ethanol granted a 5 year exemption at 100% and said to come back for the second five years. The company also did a drying and storage facility in McLain County in 2010 which they allowed a 100%, 80%, 60%, 40% and 20% for approximately a $3 million project. The estimate tax for the biorefinery was $445,000 with approximate 55% to the school district, 30% to the County and 15% to the township. Marks noted the input the Great River Energy (Dakota Spirit AgEnergy) was putting into the County but questioned if it was time to pare back on granting incentives to large companies and that there was a lot of dollars that could be generated to help in road repair. Marks made a motion to allow the first three years at 100% with 4th year 90%, 5th year 80%, 6th year 70%, 7th year 60%, 8th year 50%, 9th year 40% and 10th year 30%. Schwartz seconded the motion. Christianson said that he understands where the commission was coming from and if it works out from a business standpoint they would proceed with it. Johnson said that the request worked out to be equivalent to an 8 year 100% exemption whereas the motion worked out to be about a 7.2 year 100% exemption – not a sizable difference. Roll call vote: Marks, Schwartz, Neys and Klose voted aye.

Christianson also reported that in a meeting with the Dept of Commerce that if the three miles of access roads to the Great River Energy's project were added to the federal aid system it would allow GRE access to safety funds for turning lanes and railroad crossing issues. ND DOT stated that the County would need to request the roads to be added to the system. Daniel, Spiritwood Township Chairman, stated that they had no problem with plowing snow and mowing weeds but would not be able to maintain the pavement in years to come. Mickey Nenow, County Highway Superintendent, would research the issue before further action was taken.

Nenow presented bills from RTS Shearing for emergency grade raises. Schwartz made a motion seconded by Marks to pay the bills of $106,334.56 for the project 1/2 mile West of Streeter and $89,778.36 for the project 3 miles West of Streeter both amount were less 10% of the total projects until the pit release agreements were received and to pay 30% ($47,821.80) of the project total for

work completed on the project 3.5 miles South of Cleveland. Roll call vote: Schwartz, Neys, Klose and Marks voted aye.

Steve Thompson reviewed the quotes that were opened earlier in the meeting. Projects 47-1 quote $630,304.00 (estimate was $292,170.00); 47-2 corrected quote $167,199.93 (estimate was $138,435.00); 47-3 no bid; 47-4 corrected quote $693,363.00 (estimate was $317,652.00); 47-8 quote $487,425.98 (estimate was $456,172.00); and 47-9 quote $569,319.81 (estimate was $536,260.00). Thompson stated that reasonable bids were received for 47-2, 47-8 and 47-9 but 47-1 and 47-4 were high. He recommended awarding 47-2, 47-8 and 47-9 and hold off on 47-1 and 47-4 until they could discuss the bids with the DOT. Klose and Schwartz stated that they needed to know where the County was at for reimbursement before they would know what the County could afford to do. Schwartz thought that 47-2 could be awarded but 47-8 and 47-9 should hold off awarding until tomorrow. Johnson stated that these projects were 100% reimbursement but it was a matter of when reimbursement would be received. Johnson said that some of the 2009 money has started coming in and he would need to look at the cash situation but financially it was hard to turn away 100% money. Schwartz made a motion seconded by Marks to award 47-2, 47-8 and 47-9 to Guthmiller Earthmoving, Inc. Projects 47-1 and 47-4 would be reviewed at a special meeting on Wednesday, August 3 at 4:00 p.m. Roll call vote: Neys, Klose, Marks and Schwartz voted aye.

Fritz Fremgen, State's Attorney, reviewed his monthly report.

Jerry Bergquist, 9-1-1 Coordinator/Emergency Manager, presented changes to the Local Emergency Planning Committee. LEPC was recommending adding Lt. Teresa Brecto (The Salvation Army), Chad Kaiser (County Sheriff), Matthew Leitner and Randy Dullum (Jamestown Regional Airport), Amy Mayer (Regional Environmental Health Practitioner) and Rick Woehl (Jamestown Rural Fire Dept.) and to remove as members Deanna Van Bruggen, Lt. Mitcheal Brecto, David Orr, Andrew Schneider, Jim Dodd, Wayne Fylling and Brenton Nesemeier. Neys made a motion seconded by Schwartz to nominate the six individuals to the committee and to delete the old members. Motion carried.

Bergquist also presented a request for an on-site vulnerability assessment for the Law Enforcement Center and Courthouse by the Department of Emergency Services and the ND Fusion Center. The governing authority had given permission for the assessment to be completed at the LEC but since the two building are attached and connections to the two buildings it was suggested that the study be completed for the Courthouse too. The assessment is free with no obligations and would be a neutral perspective as to what our security issues were. Tracey Trapp stated that the after-hours entry was a concern at the LEC. The time required to complete the questionnaire was the only cost investment. Marks made a motion seconded by Neys to approve the on-site vulnerability assessment. Motion carried.

Mr. Bergquist presented mutual aid agreements that were required by FEMA if other resources were required from another county because of a catastrophic event. Nine counties included in the agreements were Cass, Burleigh, LaMoure, Foster, Barnes, Logan, Kidder, Wells and Griggs. Schwartz made a motion seconded by Neys to approve the mutual aid agreements with the nine counties. Roll call vote: Klose, Marks, Schwartz and Neys voted aye.

Bergquist showed the commission the water elevation charts of the two dams for the high elevation years. Both dams need to be down to base of the flood control pool by November 1. The corp does not want to increase the cfs over 1800.

Chad Kaiser, County Sheriff, requested permission to solicit bids for a new 2012 pickup as purchase, trade in or for sale and to receive quotes for a program car. Both vehicle purchases were included in the budget. Schwartz made a motion seconded by Neys to give permission to solicit bids for a pickup and quotes for a car. Motion carried.

Tracey Trapp, Law Enforcement Center Administrator, requested permission for out-of-state travel to attend the Bureau of Prisons Contractors Training Conference in Minneapolis from August 23 – 25, 2011. There was no cost for the conference other than mileage and lodging. A motion to allow the out-of-state travel was made by Schwartz and seconded by Neys. Motion carried.

At 5:26 p.m., the Commission meeting was recessed for the Park Board meeting.

Stutsman County Park Board Meeting

August 2, 2011

At 5:30 p.m. Chairman Klose called the Stutsman County Park Board meeting to order. Park Board members present were Dale Marks, David Schwartz, Craig Neys, Mark Klose, Mark Schlecht and Bob Woodward. Dennis Ova was absent.

A motion to approve the minutes from the July meeting was made by Woodward and seconded by Schlecht. Motion carried.

Neys made a motion seconded by Woodward to pay the following bills. Roll call vote: Woodward, Schlecht, Marks, Schwartz, Neys and Klose voted aye.

Fund	Warrant No	Amount	Vendor Name
COUNTY PARK			
	0056193	15.33	A T & T MOBILITY
	0056197	187.50	AMERIPRIDE LINEN & APPAREL
	0056201	71.00	BOB'S PLUMBING & HEATING INC
	0056219	67.06	CENTRAL SALES
	0056231	12.60	DAKOTA RENTAL CENTER LLC
	0056232	464.64	DAKOTA SANITATION
	0056247	40.00	FARMERS UNION OIL CO-CENEX
	0056248	37.63	FASTENAL CO
	0056249	42.15	FEDEX
	0056272	119.06	JAMESTOWN IMPLEMENT
	0056275	480.00	JOB SERVICE NORTH DAKOTA
	0056282	216.00	KREBSBACH BACKHOE SERVICE
	0056289	83.86	MAC'S INC
	0056298	73.25	N A P A AUTO PARTS
	0056306	32.00	N D PUBLIC HEALTH LABORATORY
	0056313	214.05	NORTHWEST TIRE INC
	0056325	178.68	QWEST
	0056340	5,630.00	SPARK'S SALES, LLC
	0056349	272.50	STUTSMAN RURAL WATER DISTRICT
	0056353	210.97	TITAN MACHINERY
	0056355	121.75	TRAUT WELLS
	0056357	37.50	TRUE VALUE HARDWARE
	0056361	574.45	UNITED LABORATORIES
		9,181.98	Final Total

Johnson stated that the Bureau of Reclamation had consented to allow funds previously allotted for rural water installation at Pelican Point Landing to be used toward the purchase of a new shower building at Pelican Point. Sandy Eckelberg had researched the cost of a new CXT pre-cast shower building in order to have an idea for the 2012 budget. Larry Kuntz with the Bureau commented that these buildings were very durable. The estimate for a 700 sq ft building was approximately $200,000.

Dennis Lorenz and Eckelberg reported that no agreement for insuring boat docks was available to base the County's off of and at this time insurance was a dead issue.

Lorenz reported that water was coming into the reservoir faster than it was going out. They were down to two boat docks again because of the high water.

At 5:49 p.m. a motion to adjourn was made by Schlecht and seconded by Woodward. Motion carried.

At 5:50 p.m., the regular Commission meeting was called back to order with all Commissioners except Ova present.

A motion was made by Marks seconded by Schwartz to approve the bills for payment. Roll call vote: Marks, Schwartz, Neys and Klose voted aye.

Fund	Warrant No	Amount	Vendor Name
GENERAL			
	0056191	126.99	A & B BUSINESS INC
	0056193	15.33	A T & T MOBILITY
	0056203	214.65	BROWN & SAENGER
	0056208	36.00	BUSCH/BEN
	0056213	228.84	CDW GOVERNMENT
	0056215	1,882.57	CENEX CREDIT CARD
	0056220	11,000.00	CENTRAL VALLEY HEALTH UNIT
	0056221	672.15	CITY OF JAMESTOWN
	0056223	92.22	COLE PAPERS INC
	0056225	19,987.00	COMPUTER INFORMATION SYSTEMS
	0056226	19,500.00	COUNTY AGENT
	0056236	134.00	DEATONS MAILING SYSTEMS INC
	0056238	1,925.00	DKK GUARDIANSHIP SERVICES INC
	0056251	204.00	FREMGEN/FRITZ
	0056260	310.25	HAMMER/RAY
	0056262	138.60	HOLIDAY INN OF FARGO
	0056264	96.70	HOYT/DAMIAN T
	0056266	20.00	INSTITUTE OF LOCAL GOVT
	0056267	144.00	INSURE FORWARD
	0056269	7,200.00	JAMES RIVER SENIOR CITIZENS
	0056270	1,250.00	JAMESTOWN AMBULANCE
	0056271	484.65	JAMESTOWN HOSPITAL
	0056274	45.06	JETSTREAM CAR WASH
	0056283	165.00	KROPP LAW OFFICES PC

	0056286	142.00	LEFEVRE/TROY
	0056287	899.01	LEXISNEXIS MATTHEW BENDER
	0056288	258.75	M D U
	0056289	14.93	MAC'S INC
	0056293	790.00	MEDINA AMBULANCE SERVICE
	0056295	50.00	MIDWESTERN MACHINES
	0056300	30.00	N D A A O
	0056305	100.00	N D P O A
	0056307	36.00	N D SECRECTARY OF STATE
	0056317	73.77	PACKAGING HORIZONS
	0056325	696.59	QWEST
	0056333	135.00	SANDNESS LAW OFFICE
	0056334	440.00	SCHAFFER/SUZETTE
	0056336	425.00	SDAAO
	0056342	52.53	STOUDT INC/R M
	0056345	4,000.00	STUTSMAN COUNTY AUDITOR
	0056346	46.00	STUTSMAN COUNTY CORRECTIONAL CENTER
	0056347	4,000.00	STUTSMAN COUNTY PARK
	0056348	2,000.00	STUTSMAN COUNTY ROAD DEPT
	0056354	170.25	TRAUT LAWN IRRIGATION INC
	0056358	3,490.00	TWO RIVERS PRINTING
	0056362	770.19	VERIZON WIRELESS
	0056365	199.44	VISA SO
	0056372	476.28	WEST GROUP PAYMENT CENTER
	0056374	4.08	WILHELM CHEVROLET BUICK GMC
	0056378	78.98	5 STAR EXPRESS LUBE
		85,251.81	Final Total
911 EMERGENCY PHONE SYSTEM			
	0056242	1,400.00	ELECTRONIC COMMUNICATIONS
	0056301	600.00	N D APCO ASSOCIATION
	0056364	15.00	VISA EMS
	0056367	108.12	VOLK/TODD
		2,123.12	Final Total
ROAD FUNDS			
	0056205	175.90	BUFFALO CITY DIESEL
	0056209	26,679.97	BUTLER MACHINERY CO
	0056212	290.34	CARQUEST AUTO PARTS
	0056214	178.25	CELLULAR COMMUNICATIONS INC
	0056221	11.50	CITY OF JAMESTOWN
	0056232	26.31	DAKOTA SANITATION
	0056246	6,570.20	FARMERS UNION OIL CO-CENEX
	0056257	150,057.80	GUTHMILLER EARTHMOVING,INC
	0056267	844.00	INSURE FORWARD
	0056268	66.00	INTERSTATE ENGINEERING
	0056275	8,077.94	JOB SERVICE NORTH DAKOTA
	0056277	2,782.80	JOHNSTON FARGO CULVERT INC
	0056280	130.16	KOLLMAN/LLOYD
	0056285	49.27	LAWSON PRODUCTS INC
	0056288	88.01	M D U
	0056289	27.42	MAC'S INC
	0056290	70.00	MARGIE HANDY WORK
	0056299	95.26	N A P A AUTO PARTS
	0056312	578.25	NORTHWEST TIRE INC
	0056314	9.54	O'REILLY AUTOMOTIVE INC.
	0056316	4.49	OTTER TAIL POWER CO
	0056322	100.08	PRO BUILD
	0056324	136.31	QUALITY SERVICE & REPAIR
	0056338	145.86	SINCLAIR/JOHN
	0056342	468.00	STOUDT INC/R M
	0056343	2,832.00	STREETER COOP OIL
	0056358	198.00	TWO RIVERS PRINTING
	0056363	218.47	VISA LEC
	0056370	214.90	WALMART COMMUNITY BRC
	0056371	40.11	WEST END HIDE & FUR
	0056376	2,926.68	WOODWORTH FARMERS GRAIN CO
		204,093.82	Final Total
SOCIAL SERVICES			
		27,946.20	Final Total
EMERGENCY			
	0056326	243,934.72	R T S SHEARING
		243,934.72	Final Total
COUNTY CORRECTIONAL CENTER			
	0056192	258.70	A & B BUSINESS INC
	0056196	106.55	ALLTEL
	0056203	274.29	BROWN & SAENGER
	0056216	422.70	CENTRAL BUSINESS SYSTEMS, INC
	0056218	3,604.00	CENTRAL DAKOTA MECH INC
	0056221	1,524.68	CITY OF JAMESTOWN
	0056223	258.10	COLE PAPERS INC
	0056225	22,000.00	COMPUTER INFORMATION SYSTEMS
	0056227	52.82	COUNTY MARKET
	0056230	789.46	DACOTAH PAPER CO
	0056233	42.00	DAN POLAND MACHINE INC
	0056235	2,002.49	DEAN FOODS NC, INC

	0056243	500.00	ESSENTIA HEALTH
	0056245	579.72	FARMER BROTHERS COFFEE
	0056254	17.14	GRAYBAR
	0056255	1,351.05	GREENBERG ROOFING
	0056263	11.97	HOME OF ECONOMY
	0056265	385.00	INNOVIS HEALTH JAMESTOWN
	0056274	626.47	JETSTREAM CAR WASH
	0056281	57.50	KOROPATNICKI/DANIAL L
	0056288	405.23	M D U
	0056296	1,313.16	MOORE MEDICAL CORP
	0056308	360.00	N D STATE RADIO COMMUNICATIONS
	0056309	143.50	NARDINI FIRE EQUIPMENT OF N D
	0056318	528.11	PAN-O-GOLD BAKING CO.
	0056320	100.00	PETROLEUM TANK RELEASE COMP
	0056323	140.10	PUBLIC SAFETY CENTER INC
	0056325	392.06	QWEST
	0056328	3.50	REDWOOD TOXICOLOGY LABORATORY,INC
	0056330	90.00	ROUGHRIDER SIGNS & DESIGNS
	0056335	69.99	SCHUBERT'S CARPET ONE
	0056341	1,198.78	STEIN'S, INC
	0056351	6,961.61	SYSCO FOOD SERVICES OF ND
	0056352	418.18	THRIFTY DRUG-WHITE DRUG
	0056356	7.49	TRUE VALUE HARDWARE
	0056360	5,654.70	U S FOOD SERVICE INC
	0056363	541.28	VISA LEC
	0056369	98.29	WALMART COMMUNITY BRC
		53,290.62	Final Total
WEED CONTROL			
	0056325	8.08	QWEST
	0056345	30.69	STUTSMAN COUNTY AUDITOR
		38.77	Final Total
VETERANS SERVICE			
	0056203	39.96	BROWN & SAENGER
	0056325	16.16	QWEST
		56.12	Final Total
EMPLOYEES HOSPITAL INS			
	0056304	95,662.08	N D P E R S
		95,662.08	Final Total
TAX REFUND			
	0056258	1,529.94	HAAS/ARLEN & JANICE
	0056261	17.45	HARTMAN/BONNIE
	0056291	362.52	MATCHIE/MICHAEL & JANET
	0056373	118.57	WHITE/JEAN
		2,028.48	Final Total
COMMISSARY			
	0056211	47.31	CABLE SERVICES
	0056234	173.92	DCR DISTRIBUTORS
	0056237	128.00	DEVILS LAKE JOURNAL
	0056244	152.50	FARGO FORUM
	0056250	428.00	FRANK MCKONE CANDY CO
	0056252	402.24	FRITO LAY
	0056278	235.48	KEEFE COFFE & SUPPLY
	0056292	506.52	MAXIMA SUPPLY LLC
	0056296	176.80	MOORE MEDICAL CORP
	0056319	1,075.79	PEPSIAMERICAS
	0056321	396.50	PIZZA CORNER FROZEN PIZZA
	0056329	4,500.00	RELIANCE INMATE SYSTEMS INC.
	0056337	734.87	SEARS COMMERICAL ONE
	0056369	115.16	WALMART COMMUNITY BRC
		9,073.09	Final Total
DRUG PROGRAM			
		7,514.69	Final Total
COURTHOUSE BUILDING			
	0056335	230.20	SCHUBERT'S CARPET ONE
		230.20	Final Total
COUNTY CORRECTIONAL CENTER CONST.			
	0056294	2,810.30	MICHAEL J. BURNS ARCHITECTS,LTD
		2,810.30	Final Total
COUNTY HAZARDOUS CHEMICAL ACCOUNT			
	0056195	222.37	ADDEM INC
		222.37	Final Total
DATA PROCESSING			
	0056194	1,512.00	ACOM SOLUTIONS
	0056203	2,629.64	BROWN & SAENGER
	0056213	4,605.25	CDW GOVERNMENT
	0056228	695.98	CPS TECHNOLOGY SOLUTIONS
	0056249	29.94	FEDEX
	0056253	600.00	GEOLAND MANAGEMENT LLC
	0056325	16.16	QWEST
	0056339	61.20	SMAAGE/JOSH
	0056368	60.42	WALMART COMMUNITY BRC
		10,210.59	Final Total
FEMA FUNDS			
	0056201	161.26	BOB'S PLUMBING & HEATING INC

	0056229	1,620.00	CURTIS ELECTRIC
	0056282	1,648.75	KREBSBACH BACKHOE SERVICE
	0056348	168.80	STUTSMAN COUNTY ROAD DEPT
		3,598.81	Final Total
WAGES			
	9283-9471	477,506.25	WAGES (07/25/2011)
		477,506.25	Total Wages

A motion to adjourn was made by Marks seconded by Schwartz. Motion carried. Meeting adjourned at 5:52 p.m.

ATTEST:

Noel A. Johnson
County COO (Auditor)

Mark T. Klose
Commission Chairman