Official Proceedings of the Stutsman County Commission – October 2nd, 2012

At 4:00 p.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.

Neys made a motion, seconded by Schwartz to approve the minutes of the September 2012 meetings. Motion Carried.

Casey Bradley, Auditor/COO updated the commission board on the pit releases. Guthmiller Earthmoving and RTS Shearing, LLC have both complied with the requirements that were set forth from the previous commission meeting.

Ova made a motion, seconded by Marks to approve the request from the Wage and Benefit Committee to grant the additional ½ day of holiday on December 24, 2012. Motion Carried.

It is the consensus of the board to reschedule the Stutsman County commission meetings from November 6th to November 13th and November 20th to November 27th. The Social Service board meeting will be changed to November 27th.

Ova made a motion, seconded by Schwartz to approve Craig Neys as the North Dakota State Fair delegate. Motion Carried. Bradley will draft a letter to send to the North Dakota State Fair board notifying them of the decision.

Schwartz made a motion, seconded by Marks to approve the construction and maintenance agreements for CER-4717(086), CER-4717(087), CER-4717(088), CER-4717(089), and CER-4717(091) as presented. Interstate Engineering confirmed that there are no utility issues with these sites and they notified the state to that effect. Roll call vote: Ova, Marks, Schwartz, Neys, Klose voted aye.

Casey Bradley, Auditor/COO presented the audit for the year ending December 31, 2011. Stutsman County did not have any issues. The county did receive two write ups: for not amending the budget for any unforeseen expenditures in excess of the budgeted amounts and for under pledging securities at First Community Credit Union on February 28th, 2011 by $28,000.00. Bradley reported that the county has seen a positive turn around in the fund balance. The general fund shows that it is healthy; however, the money is actually tied up with the FEMA projects, inter-fund loans, and the deficit spending at the Law Enforcement Center.

Bid opening for Gray Township Site 11 grade raise were opened. The bids were as follows: Naastad Brothers Inc. made the bidders bond out to the wrong party and was denied due to that error; Meyer Contracting, Maple Grove, MN, $399,928.00; RTS Shearing, LLC, Jamestown, ND, $118,213.00; Guthmiller Earthmoving, Inc., Medina, ND, $141,765.00. The bids will be turned over to Gray Township for their recommendation.

Bid opening for Stirton Township Site 23 alternate route grade raise were opened. The bids were as follows: Meyer Contracting, Maple Grove, MN, $337,505.30; RTS Shearing, LLC, Jamestown, ND, $278,741.90; Guthmiller Earthmoving, Inc., Medina, ND, $318,160.06; Comstock Construction, $312,683.90; Northern States Excavating Inc. did not label the outside of the envelope regarding the addendum which resulted in the bid being rejected. The bids will be turned over to Stirton Township for their recommendation.

Stutsman County received an assessment on old Highway 10 from Ulteig. The assessment starts from 87th Avenue and runs east to the Barnes County line which is approximately ten miles. There are many concerns in this ten mile stretch. Some areas will need a four inch overlay or a two inch overlay, other areas may have subgrade issues that were caused by long term flooding, and other segments may require grade raises due to ongoing flooding concerns. It was suggested to explore the subsurface of the road through soil borings to determine the structural and paving recommendations. The soil samples will need to be completed before a true estimate can be done. The Spiritwood grade raise would cost approximately $316,352.50 and the area where there are subgrade issues and grade raises the cost is estimated to be $494,000.00. The county is investigating other cost saving options and looking at possibly doing some cost sharing with Spiritwood Township. Marks made a motion, seconded by Neys to approve doing the soil boring as presented up to the estimated cost of $16,000.00. Motion Carried.

Mickey Nenow, County Highway Superintendent, presented his monthly report to the commissioners. The highway department is currently working on FEMA projects. The county received the new motor

graders. Each of the motor graders had minor problems, but they have been fixed.

Fritz Fremgen, State's Attorney, updated the commission board with his monthly report. He has been working on two federal cases: Sissell v. Stutsman County and federal inmate v individual correctional officers. Fritz met with some gentlemen regarding the water resource board case. The NRCS do not want any part of the hearing. Fritz is working on the zoning ordinance and the zoning maintenance agreements for the wind farms. He is also investigating ordinances on man (crew) camps and entertainment issues resulting from the man camps. It was suggested to contact the Williston mayor, Williams County or Watford City to hear what issues they have dealt with and how they have dealt with those issues.

Casey Bradley, Auditor/COO, informed the commissioners that Noel Johnson is beginning to work on property acquisitions at the Industrial Park. The county will not acquire any property until the road agreement has been settled.

Marks made a motion, seconded by Schwartz to approve and designate October 23, 2012 for the hearing on appraised values of foreclosed property as presented. Motion Carried. The tax sale on the foreclosed property will be held on November 20th, 2012.

At 4:56 p.m., the Stutsman County recessed for the County Park Board Meeting.

Official Proceedings of the Stutsman County Park Board – October 2nd, 2012

At 5:03 p.m., Chairman Klose called the regular meeting of the Stutsman County Park Board to order. Denny Ova, Dale Marks, David Schwartz, Robert Woodward, Craig Neys, and Mark T. Klose answered the roll call. Mark Schlecht was absent.

Woodward made a motion, seconded by Schwartz to approve the minutes of the September 2012 meetings. Motion Carried.

Schwartz made a motion, seconded by Woodward to approve the monthly bills. Roll call vote: Marks, Schwartz, Neys, Klose, Woodward, Ova voted aye.

COUNTY PARK
0060680 43.38 AT&T MOBILITY;0060693 3.26 CARQUEST;0060711 95.54 DAKOTA RENTAL CENTER LLC;0060721 215.85 FASTENAL CO;0060727 22.27 INFINITY BUILDING SERVICES;0060737 1,699.13 KEITH'S AIR CONDITIONING INC;0060740 476.85 KREBSBACH BACKHOE SERVICE;0060745 54.80 MAC'S INC;0060755 195.41 NAPA AUTO PARTS;0060774 63.36 PRAXAIR DISTRIBUTION INC;0060803 363.50 STUTSMAN RURAL WATER DISTRICT;0060806 159.58 TITAN MACHINERY;0060808 53.48 TRACTOR SUPPLY CREDIT PLAN;0060810 36.96 TRUE VALUE HARDWARE

It is the consensus of the board to hold off on the renewal of campground concession contracts. Scott Hettinger will be having a committee meeting on October 4th, 2012 to discuss the renewals of the concessionaire contracts.

Murray Stanton spoke with Casey Bradley and he wrote a response letter to Stutsman County Park Board. The letter was shared with the park board commissioners.

Dennis Lorenz, County Park Superintendent, presented his monthly report. The park department is currently working on tree removal and winterizing the campgrounds for the end of the season. Border States completed the FEMA paving project at Pelican Point.

The Stutsman County Water Resource Board requested assistance in payment of repairs at Ypsilanti Park dam. Dennis Lorenz indicated to the water resource board that the county could apply for a Garrison Diversion grant to do rip-rapping of the park area to prevent the water from diverting from the river. The provisions of the grant will not pay for rip-rapping. The consensus of the park board commissioners was not to apply for the Garrison Diversion grant since they do not pay for rip-rapping. The commissioners suggested contacting NRCS or the Corp of Engineers to see what they can do.

Stutsman County has been contacted by Judy Grohs to advertise in their program book since they are holding the 2013 VFW State Mid-Winter Conference in Jamestown, ND. It is the consensus of the board for Judy to contact the concessionaires to see if they would like the opportunity to advertise in the programs.

Ken Goetz requested to install a holding tank at the campgrounds at Spiritwood. It is the consensus of the board that Ken will need to contact the ND State Historical Society. This issue is not up to the park board commissioners to decide, it is between Ken Goetz and the ND State Historical Society. Ken Goetz has another party interested in purchasing the Spiritwood Inn.

Ted Steckler was informed that he needed to go into the FSA Office and sign the paperwork for the CRP land. The FSA Office is holding the CRP payment until the paperwork is signed.

The 2013 cabin permit rates were presented to the board. The permit rate is based on the land index rate and is set by the Bureau of Reclamation according to the index. In 2002, the land index was $628 and the cabin permit rate was at $250.00. The Bureau of Reclamation put a plan in place to get the cabin permit rates caught up to the land index rate by 2011. The 2012 year is the final catch up year; the rates are $1,180 for seasonal permit and $2,360 for the year-round permit. There are 40 seasonal cabin permits and 31 year round cabin permits. Twelve cabin permits are up for renewal this year. In 2013, the Bureau of Reclamation is recommending $1,420 for the seasonal cabin permits and $2,840 for the year-round cabin permits. A request was received by Jamestown Cabin Owners Association to postpone voting on the 2013 cabin permit increases. The Jamestown Cabin Owners Association would like the cabin permit increase postponed so they can visit with the Bureau of Reclamation. Stutsman County needs to give a 60 day notice to the cabin permits that are expiring this year. If the county approves the request then they fail to meet the requirements that are set forth. It is the consensus of the park board commissioners to move the Stutsman County Commission meeting and the Park Board Commission meeting from November 13th to October 30th, 2012 at 4:00 p.m. and move the November 27th commission board meeting to November 20th, 2012 at 8:00 a.m. The Law Enforcement Center meeting will be held on October 26th at 8:00 a.m. and the Social Services board meeting will be held on October 30th at 8:00 a.m. This will allow the park board to postpone voting on the 2013 cabin permit increase and to also meet their 60 day notice to the cabin owners who have expiring permits this year.

At 5:51 p.m., a motion to adjourn the Stutsman County Park Board meeting was made by Ova, seconded by Woodward. Motion Carried.

At 5:51 p.m., the Stutsman County Commission Meeting reconvened.

Marks made a motion, seconded by Ova to approve the bills for payment. Motion Carried.

GENERAL
0060679 15.30 ANDERSON/JAMIE;0060680 43.39 AT&T MOBILITY;0060687 354.54 BROWN & SAENGER; 0060698 2,654.78 CENEX CREDIT CARD DEPT;0060702 1,738.67 CITY OF JAMESTOWN;0060704 778.72 COLE PAPERS INC;0060709 513.70 CURTIS ELECTRIC;0060710 334.43 DACOTAH PAPER CO;0060714 111.00 DUBORD/GWEN;0060717 188.95 ECOLAB PEST ELIMINATION DIV;0060722 400.94 GALL'S INC;0060729 50.00 INSURE FORWARD;0060730 1,250.00 JAMESTOWN AMBULANCE;0060738 111.00 KLOSE/MARK;0060742 258.75 KROPP LAW OFFICES PC;0060743 25.00 LEE/NIKOS;0060748 25.00 MCINTYRE/WILLIAM;0060749 249.66 MDU;0060750 790.00 MEDINA AMBULANCE SERVICE;0060751 200.50 MID-AMERICAN RESEARCH CHEMICAL CORP;0060760 6.50 ND DEPT OF TRANSPORTATION; 0060762 1,500.00 NEOFUNDS BY NEOPOST;0060766 18,000.00 OFFICE OF THE STATE AUDITOR;0060768 747.04 OTIS ELEVATOR COMPANY;0060771 98.00 PCS MOBILE;0060775 75.00 PRESS ROOM/THE; 0060777 323.56 PROBUILD;0060783 45.00 RENAISSANCE RECYCLING;0060788 195.00 SANDNESS LAW OFFICE;0060789 7.50 SCHERBENSKE & ASSOCIATES;0060790 49.12 SCHUBERT'S CARPET ONE;0060792 2,030.00 SECURITY PRODUCTS CO;0060793 15.50 SIMMERS/JACKIE;0060794 90.00 SIMONSON/MIKAL; 0060797 3,937.71 SMITTY'S CARPET SHOP INC;0060798 25.00 STOPPLEWORTH/BARBARA;0060812 900.99 VERIZON WIRELESS;0060816 426.68 VISA SO 4194;0060821 203.97 WALMART COMMUNITY BRC;0060825 7.50 WEST END HIDE & FUR;0060826 453.50 WEST GROUP PAYMENT CENTER;0060827 40.96 WILHELM CHEVROLET BUICK GMC;0060828 250.00 WILLIAMS-LISKO FUNERAL CHAPEL LTD
911 EMERGENCY PHONE SYSTEM
0060683 293.10 BERGQUIST/JERRY;0060757 50.00 ND APCO ASSOCIATION
ROAD FUNDS
0060685 6,909.40 BORDER STATES PAVING INC;0060687 110.47 BROWN & SAENGER;0060691 8.00 BUTLER MACHINERY CO;0060694 5.29 CARQUEST AUTO PARTS;0060702 11.75 CITY OF JAMESTOWN; 0060703 114.04CNH CAPITAL;0060706 27,757.72 CREATIVE ENERGY;0060719 97.74 FARGO TRAILER CENTER; 0060720 3,389.64 FARMERS UNION OIL CO-CENEX;0060731 179.05 JAMESTOWN IMPLEMENT; 0060734 88.20 JAMESTOWN SUN;0060736 4,252.00 JOHNSON/NOEL;0060745 42.35 MAC'S INC;0060746 70.00 MARG'S HANDY WORK;0060749 31.20 MDU;0060756 243.60 NAPA AUTO PARTS;0060763 430.70 NEWMAN SIGNS;0060764 742.71 NORTHWEST TIRE INC;0060765 278.07 O'REILLY AUTOMOTIVE INC;

0060769 14.09 OTTER TAIL POWER CO;0060773 366.48 POWER PLAN;0060777 38.99 PROBUILD;0060778 246.07 QUALITY SERVICE & REPAIR;0060791 73.32 SEARS COMMERCIAL ONE;0060795 183.15 SINCLAIR/JOHN;0060799 2,992.00 STREETER COOP OIL;0060804 13.20 TDS METROCOM;0060811 4,862.37 ULTEIG;0060813 2,403.88 VINING OIL CO;0060815 173.31 VISA RD 3599; 0060819 31.96 WALLWORK INC/W W;0060822 132.55 WALMART COMMUNITY BRC;0060825 14.28 WEST END HIDE & FUR
SOCIAL SERVICES FUND TOTAL 35,760.67
EMERGENCY
0060760 90,111.33 ND DEPT OF TRANSPORTATION
COUNTY CORRECTIONAL CENTER
0060675 142.28 A & B BUSINESS INC;0060676 200.00 ACHSA MN CHAPTER;0060677 812.75 AMERICAN INSTITUTIONAL SUPPLY;0060678 107.50 AMERIPRIDE SERVICES;0060681 92.30 BDS LAUNDRY SYSTEMS; 0060682 2,297.94 BEHAVORIAL INTERVENTIONS;0060684 72.95 BLUE BOOK;0060687 119.68 BROWN & SAENGER;0060689 43.85 BROWN/DORINDA;0060696 11,099.41 CBM FOOD SERVICE;0060699 236.15 CENTRAL BUSINESS SYSTEMS INC;0060701 1,182.50 CENTRAL DAKOTA MECHANICAL INC;0060702 2,723.46 CITY OF JAMESTOWN;0060704 251.97 COLE PAPERS INC;0060708 550.00 CUMMINS NPOWER LLC;0060710 511.91 DACOTAH PAPER CO;0060717 120.10 ECOLAB PEST ELIMINATION DIV;0060718 500.00 ESSENTIA HEALTH;0060721 6.05 FASTENAL CO;0060726 11.97 HUGO'S 9;0060729 50.00 INSURE FORWARD;0060735 938.19 JETSTREAM CAR WASH;0060747 733.00 MCDOUGALL/DR KENNETH;0060749 331.65 MDU;0060751 200.50 MID-AMERICAN RESEARCH CHEMICAL CORP;0060757 150.00 ND APCO ASSOCIATION;0060768 450.00 OTIS ELEVATOR COMPANY;0060772 210.00 PHARMCHEM INC;0060781 242.50 REDWOOD BIOTECH INC;0060782 13.50 REDWOOD TOXICOLOGY LABORATORY INC;0060783 18.00 RENAISSANCE RECYCLING;0060784 529.08 RM STOUDT INC;0060796 480.00 SKEEL'S PAINTING & DECORATING;0060809 21.85 TRUE VALUE HARDWARE;0060812 126.09 VERIZON WIRELESS;0060814 863.01 VISA LEC 4635;0060820 87.00 WALMART;0060821 34.79 WALMART COMMUNITY BRC;0060824 505.78 WALZ PHARMACY
VETERANS SERVICE
0060753 201.00 MORRIS/RITA R;0060807 201.00 TOBIN/WARREN J
EMPLOYEES HOSPITAL INS
0060761 102,387.68 NDPERS;0060802 10,000.00 STUTSMAN COUNTY
TAX REFUND
0060741 1,224.03 KREIN/ARTHUR
COMMISSARY
0060692 47.31 CABLE SERVICES;0060814 225.72 VISA LEC 4635;0060821 39.84 WALMART COMMUNITY BRC
DRUG PROGRAM FUND TOTAL 6,000.00
DATA PROCESSING
0060697 157.99 CDW GOVERNMENT;0060725 66.60 HEANEY/CHRISTOPHER
JOB INCENTIVE FUND
0060733 10,414.00 JAMESTOWN STUTSMAN DEVELOPMENT CORP
FEMA FUNDS
0060723 60,507.36 GRAY TOWNSHIP #22;0060727 30.06 INFINITY BUILDING SERVICES;0060734 294.40 JAMESTOWN SUN;0060744 6,736.53 LYON TOWNSHIP #32;0060745 82.56 MAC'S INC;0060770 3,520.97 PARIS TOWNSHIP #40;0060800 15,168.97 STREETER TOWNSHIP #54;0060801 1,336.59 STRONG TOWNSHIP #55;0060818 2,408.15 WADSWORTH TOWNSHIP #58;0060823 1,805.83 WALTERS TOWNSHIP #59;0060829 11,118.88 WOODBURY TOWNSHIP #63
WAGES
11879-12078 466,286.91 9-25-12

At 5:51 p.m. the Stutsman County Commission Meeting recessed for the hearing on the 2013 County Budget and 2012 Property Tax Levy.

At 6:00 p.m., Chairman Klose called the 2013 county budget and 2012 property tax levy hearing of the Stutsman County Commission to order.

The hearing was held on the proposed 2013 budget. Casey Bradley, Auditor/COO, reported on the 2013 budget challenges. The challenges consisted of: increase in retirement costs which consists of a one percent employee increase and one percent employer increase, one percent COLA increase, two percent step increase, Social Service wages increased due to Hays Study by 6.5% which was an added cost of $60,000, health insurance cost are increasing by 12.9% for the biennium which is a 6.45% for 2013 and 6.45% for 2014. The total revenue for 2012 is $20,860,670 and for 2013 it is projected to be $22,433,234.00. Bradley displayed a pie graph showing the breakdown of the revenues and where they are coming from. The expenditures for 2012 are $23,795,593 and for 2013 it is projected to be at

$24,736,058. Casey presented a pie graph of the breakdown of the expenditures for 2013. Bradley reported on the changes in the budgets from 2012, the proposed 2012 mill levy and the projection of the 2013 ending fund balance. All funds in the county will be in the black with the exception of the Law Enforcement Center and have a mill levy of 112.19 for 2012 compared to 114.43 for 2011. The taxable value of one mill is $66,143 in 2011 and for 2012 is $72,731. Casey presented a graph on how the tax levy is distributed. Bradley explained the process on how the property tax is calculated on a piece of property.

Larry and Sonja Suko questioned why their property tax was so high and didn't feel that it was right to penalize a person because of their location. The Suko's informed the board that they felt the property taxes were driving them from their home. They also informed the board that they had to replace their roof and reside their home this past year which would further burden their financial situation. Mrs. Suko expressed her displeasure with local tax dollars being spent on social service programs for certain minorities within the county. Bradley explained that the state establishes the criteria by which people are eligible for social service programs. It was Mrs. Suko's recommendation that Stutsman County challenge the state and stop providing services to certain minorities. The Suko's asked what the budget impact would be on a home valued at $180,000 and Bradley calculated last year's tax rate and the one being proposed which resulted in a decrease in the amount of taxes levied against that property.

Bradley explained that a property assessor would assess the true and full value of the house. The true and full value of the house is multiplied by 50% to get the assessed value. The assessed value is multiplied by nine percent to get the taxable value of the home. The taxable value is multiplied by the mills to get the amount of taxes a piece of property owes. Bradley explained that the State of North Dakota legislature assesses the value of the agricultural land. The Stutsman County Commission opposed the increase in the agricultural land values. Seventy percent of the Stutsman County budget is state mandated.

Schwartz made a motion, seconded by Neys to approve the 2013 budget as presented. Roll call vote: Schwartz, Neys, Klose, Ova, Marks voted aye.

At 6:36 p.m., a motion to adjourn was made by Marks, seconded by Ova. Motion Carried.

ATTEST:

_____ _____

Casey Bradley
Auditor/COO

Mark T. Klose
Commission Chairman