Official Proceedings of the Stutsman County Commission – October 19th, 2015

At 8:05 a.m., Chairman Klose called the mid-month meeting of the Stutsman County Commission to order. Mark T. Klose (arrived late), Craig Neys, and David Schwartz answered the roll call. Dennis Ova and Dale Marks arrived late.

Neys made a motion seconded by Schwartz to approve the member changes for the Grievance and Wage and Benefit Committees. Motion carried.

Dell Horn, Community Correction Program, requested approval of an agreement between Jamestown Community Correction Program and Stutsman County. Horn put in a change for a 25% increase from $1.00 to $1.25. Horn compared other counties to Stutsman. It is on a calendar year contract. The intent of the program was to incentivize use, to give them an incentive to get people to do it. The consensus is to table the request in order to get more information.

Lyndsey Michel, Accounts/Property Coordinator for Stutsman County Auditor's Office, presented the list of foreclosure properties which includes the minimum bid requirements. The property auction will take place November 17th, 2015 at 10:00 a.m. in the courthouse. Schwartz made a motion, seconded by Neys to approve the foreclosure properties, the minimum bid prices, the time, date, and location of the auction. Motion carried.

Jerry Bergquist, Emergency Manager/9-1-1 Coordinator, requested consideration of a burn ban. Of the nine Fire Chiefs that were polled, seven of them want to see a burn ban put in place. Bergquist stated the Fire Chiefs want to bring a higher level of awareness to the public. They mainly want to bring attention to how and when they burn. Commissioner Schwartz stated the ban needs to be redone to be more effective. Jerry discussed the possibility of an ordinance. This would be an awareness type of declaration and burn ban proclamation. Commissioner Klose can sign a temporary burn ban for seven days. It's looking like this won't be an issue until next year. It was suggested the Jamestown Sun should put an article in the paper that draws attention and gives facts for the public regarding the burn ban.

Connie Ova, JSDC (Connie was not present, Klose spoke on her behalf.) proposed a resolution to participate in the Red River Valley Water Supply Pipeline. This is a resolution that would indicate Stutsman County's interest in participating to get water from the Missouri River over here when they start developing it. The county is short on industrial use of water. The intent of the resolution is that the county is interested in the concept and it doesn't spend any money; the county is interested in this concept. Ova made a motion, seconded by Schwartz to approve the request as presented. Motion carried.

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

	General Revenue Fund			**County Roads Fund Cont'd**	
71172	ACTION DIGITAL	$20.00	71193	DAKOTA CENTRAL TELECOMMUNICATIONS	$161.92
71175	ARCTIC ZONE REFRIGERATION	$132.56	71194	DAKOTA ENGINE BUILDERS	$92.70
71176	BALE,DEBORAH K	$1,466.17	71195	DAKOTA VALLEY ELECTRIC	$8.00
71177	BAUER,D'MONTRE	$25.00	71196	DALLMANN SERVICES	$5,784.64
71178	BAUER,NATARLANNA	$25.00	71198	DAN POLAND MACHINE INC	$147.96
71180	BRIAN'S SERVICE & REPAIR INC	$95.00	71202	EXCAVATION SERVICES & AGGREGATE	$1,696.10
71181	BROWN & SAENGER	$172.56	71203	FARGO FREIGHTLINER	$125.92
71182	BUSSEY,FRANCIS A	$113.86	71204	FARMERS UNION OIL CO-CENEX	$2,110.04
71185	CASS COUNTY TREASURER	$6,727.00		GRUENSTEIN,LARRY	$51.75
71186	CDW GOVERNMENT INC	$4,283.02	71218	INTERSTATE ENGINEERING	$895.52
71187	CENTURY LINK	$991.58	71222	JAMESTOWN PLUMBING & HEATING	$24.68
71189	COLE PAPERS INC	$412.96	71224	JAMESTOWN SUN RD	$103.66

71190	COMMUNITY CORRECTION PROGRAM	$357.00	71227	JOHN DEERE FINANCIAL	$49.86
71191	CREATIVE ENERGY	$314.12	71229	LYLE SIGNS, INC.	$89.99
71197	DALSTED & RYAN P C	$1,501.00	71230	MAC'S	$85.20
71199	DEPARTMENT OF CORRECTIONS (ND YOUTH CC)	$1,139.92	71233	MDU	$119.96
71200	DR DAWN'S PET STOP LLC	$41.77	71235	MEDINA CITY AUDITOR	$18.85
71201	EMERGENCY TRAINING ASSOCIATES ND	$5.00	71236	NAPA AUTO PARTS	$425.03
71205	FASTENAL CO	$383.11	71244	NEWMAN SIGNS	$236.94
71207	GRAND FORKS COUNTY PSAP	$80.00	71246	NORTHWEST TIRE INC	$1,568.40
71208	GRAYBAR	$342.66	71256	PRAXAIR DISTRIBUTION INC	$140.42
71209	GUDMESTAD,LUCAS D	$476.60	71260	QUALITY SERVICE & REPAIR	$18.80
71211	GUTHMILLER,CHASE	$25.00	71265	RM STOUDT INC	$223.69
71212	GUTHMILLER,LINETTE	$25.00	71266	ROCK SOLID STABLIZATION & RECLAMATION	$48,508.25
71213	HANSON TIRE SERVICE	$150.00	71268	SCHERBENSKE INC.	$96.85
71214	HAROLDSON'S A & B BUSINESS	$116.00	71273	STREETER COOP OIL	$1,616.00
71215	HASTINGS,CHELSEY	$82.50	71276	STUTSMAN COUNTY GLASS	$180.00
71216	HIEB,REGINA	$25.00	71277	TDS METROCOM	$4.40
71217	HOME OF ECONOMY	$41.13	71280	TITAN RENTALS	$4,800.00
71219	JAMESTOWN CITY BALER	$19.11	71282	TRUE NORTH STEEL	$466.00
71220	JAMESTOWN COMMUNICATIONS INC	$147.50	71288	WEST END HIDE & FUR	$1,005.09
71221	JAMESTOWN ELECTRIC	$633.75		WOODWORTH CITY AUDITOR	$122.50
71223	JAMESTOWN SUN	$1,835.39	71289	WOODWORTH FARMERS GRAIN CO	$440.09
71226	JOBS HQ	$1,021.68		**Unorganized Township Roads Fund**	
71227	JOHN DEERE FINANCIAL	$28.28	71188	CHASE LAKE TOWNSHIP	$6,332.42
71228	KAPAUN,JESSICA	$25.00		**Social Services Fund Total**	$3,601.68
71230	MAC'S	$9.99		**County Park Fund**	
71231	MATTHEW BENDER & CO. INC	$993.67	71187	CENTURYLINK	$143.09
	MCDOWELL,MYLEE	$27.86	71237	NAPA AUTO PARTS-PARK	$56.20
71232	MCKESSON MEDICAL SURGICAL	$16.94	71248	O'REILLY AUTOMOTIVE INC	$9.64
71233	MDU	$232.60	71260	QUALITY SERVICE & REPAIR	$53.93
71234	MEDICINE SHOPPE	$1,014.90	71274	STUTSMAN CO ROAD DEPT	$5,512.20
71241	ND STATE RADIO COMMUNICATIONS	$1,920.00		**Weed Control Fund**	
71242	NDAAO	$700.00	71192	CROP PRODUCTION SERVICES	$24,130.00
71243	NETWORK CENTER COMMUNICATIONS	$115.00	71193	DAKOTA CENTRAL TELECOMMUNICATIONS	$43.02
71245	NORTHERN SAFETY TECHNOLOGY INC	$472.09		DEUTSCHER,DAVID	$37.95
71247	O'DAY EQUIPMENT, LLC	$502.20	71206	GCR TIRE CENTERS	$333.03
71249	OLSON,LORI	$422.00	71219	JAMESTOWN CITY BALER	$29.07
71250	ORETTA,BREONNA	$50.00		LEES,KIM	$14.38
71251	ORETTA,KIMBERLY	$50.00	71230	MAC'S	$6.18
71252	OTTER TAIL POWER CO	$230.54	71238	NAPA AUTO PARTS-WEED	$100.69
71253	OXTRA,DAVID	$35.50	71252	OTTER TAIL POWER CO	$121.05
71255	PHARMCHEM INC	$725.00		**Veterans Service Fund**	
71257	PRESS ROOM,THE	$537.83		BRATTON,DAVID G	$220.00
71258	PRO HYDRO-TESTING LLC	$64.00	71180	BRIAN'S SERVICE & REPAIR INC	$95.00
71259	PROBUILD	$283.75	71184	CAMBRIA SUITES	$480.60
71262	RECORD KEEPERS	$33.00	71187	CENTURYLINK	$10.59
71263	REDWOOD TOXICOLOGY LABORATORY INC	$4.50	71223	JAMESTOWN SUN	$65.08
71264	REILLY,EAMON	$25.00		MORRIS,RITA	$220.00
71267	S&R PROPERTIES	$311.13		**County Agent Fund**	
	SCHAFFER,DIANNE	$50.00	71181	BROWN & SAENGER	$14.99
71270	SKEEL'S PAINTING & DECORATING	$740.00	71193	DAKOTA CENTRAL TELECOMMUNICATIONS	$235.62
71272	STEIN'S INC	$480.00	71269	SERVICEMASTER OF JAMESTOWN	$416.00
71275	STUTSMAN COUNTY AUDITOR	$253.00		**Commissary Fund**	
71278	THERON,IZAK	$25.00	71283	TURNKEY CORRECTIONS	$68.91
71279	THERON,JANET	$25.00		**Drug Program Fund Total**	$74.15
	THOMPSON,WENDY OR DALE	$284.62		**Courthouse Building Fund**	
71281	TRACTOR SUPPLY CREDIT PLAN	$13.98	71221	JAMESTOWN ELECTRIC	$2,016.60
71285	US POSTAL SERVICE	$147.00	71261	RAY HAMMER FLOORING	$5,604.00
71286	VALLEY PLAINS EQUIPMENT	$754.44	71271	SMITTY'S CARPET SHOP INC	$15,560.04
71288	WEST END HIDE & FUR	$5.60		**Capital Project Fund**	
	E911 Phone System Fund		71210	GUTHMILLER EARTHMOVING INC	$166,477.98
71186	CDW GOVERNMENT INC	$4,662.27	71218	INTERSTATE ENGINEERING	$37,253.79
71193	DAKOTA CENTRAL TELECOMMUNICATIONS	$889.38		**Document Preservation Fund**	
71254	PENGUIN MANAGEMENT INC	$2,208.00	71284	UNDERGROUND VAULTS & STORAGE	$3.10
	County Roads Fund			**County Hazardous Chemical Account Total**	$146.43
71173	ALLIED ENERGY INC	$1,651.59		**Cancelled - Lost Warrant Fund**	
71174	AMERIPRIDE SERVICES	$291.83	71240	ND DEPT OF TRUST LANDS	$27.00
	ANDERSON,CHARLES	$94.30		**Bond Fund**	
71179	BORDER STATES PAVING INC	$817,580.62	71287	WELLS FARGO CORPORATE TRUST SERVICE	$4,651.25
71183	BUTLER MACHINERY CO	$3,392.95		**FEMA**	
71191	CREATIVE ENERGY	$13,905.98	71239	ND DEPT OF EMERGENCY SERVICES	$22,944.95

At 8:42 a.m., Commissioner Klose read the legal authority for closing this portion of the meeting was North Dakota Century code section 44-04-19.1 subsections 2, 5, and 9 and section

44-04-19.2. The topic of this session is attorney consultation regarding threatened or pending litigation regarding zoning at Spiritwood Lake. Neys made a motion, seconded by Ova to close the regular county commission meeting and enter into executive session for attorney consultation related to discuss reasonable, predictable or pending civil litigation. Roll call vote: Marks, Schwartz, Neys, Klose, and Ova voted aye. The executive session was attended by Commissioners Klose, Ova, Marks, Schwartz and Neys, State's Attorney Fritz Fremgen, and Auditor/COO Bradley.

At 9:06 a.m., a motion made by Marks, seconded by Schwartz to authorize Auditor Bradley and State's Attorney Fremgen to work with an outside attorney to pursue possible litigation for the rejection of the county's zoning request. Fremgen and Bradley will update the board. NDIRF was contacted to defend the County regarding the threatened litigation regarding the denial of their zoning request from the current leaseholders. Roll call vote: Schwartz, Neys, Klose, Ova, and Marks voted aye.

At 9:07 a.m., a motion to adjourn was made by Schwartz, seconded by Ova. Motion carried.

ATTEST:

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Casey Bradley
Auditor/COO

Mark T. Klose
Commission Chairman