Official Proceedings of the Stutsman County Commission – October 30, 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.

Casey Bradley, County Auditor/Chief Operating Officer presented the commission with a response letter to be sent to the Residents of Eldridge. Bradley stated that the Eldridge Citizens sent a letter of concern to the commissioners, Eldridge Township board, Eldridge Elevator, and Department of Health. Bradley stated that Eldridge does have its own zoning ordinances and the citizens need to approach the township board because the county does not have jurisdiction over the township. Some of areas of concern are dust, water drainage, operation of trains and speeding. The elevator has approached the county to pave the roads leading to and from the elevator and will pay 100% of the cost. The concern of speeding has been passed on to the Stutsman County Sheriff's Office; they will investigate and possibly increase patrol if needed. Motion made by Schwartz to send a response letter to the citizens of Eldridge seconded by Neys. Motion carried.

Travis Traut, Eldridge Grain Elevator Representative, presented the commission with a road request for the Eldridge elevator. Traut contacted Mickey Nenow, County Highway Superintendent, about paving the roads that lead to and from the elevator. Border States traveled to the elevator and took some core samples and felt that an overlay would be most beneficial. An amount of $54,814 was estimated by Border States to complete the project. Border States suggested a 2 ½ inch overlay of hot mix equaling to 4,806 square yards of road (1,730 feet). Currently the road receives Federal Aid so compliance has to be met to continue receiving Federal Aid. The elevator will pay 100% of the cost to have the project completed so the load restrictions increase from 80 to 105, benefitting the elevator. Neys made a motion to allow the elevator to work with Border States contingent upon a 2 ½ inch overlay, seconded by Ova. Roll call vote: Ova, Marks, Schwartz, Neys, and Klose vote aye.

Casey Bradley, Chief Operating Officer, asked the commission to consider a Township Excess Levy as a way to recoup county cost. Bradley stated that the county sent out notices to Townships that have balances owed to the county over one year delinquent and/or owing anything over $10,000 to increase the levy to 36 mills if they aren't already. Bloomfield, Conklin, Corwin, Flint, Gray, Peterson, Roosevelt, Sharlow and Valley Springs owe over $10,000 and are currently delinquent so the levy would be increased to the maximum of 36 mills. The county also sent notice to St. Paul, Streeter and Woodbury townships; they have taken out loans from the Public Finance Authority. The excess levy would be used to repay accumulated interest for the remainder of 2012, 2013 and the remaining 1/5th of the outstanding principal balance of their portion. The townships were given the option to object otherwise the mill levy will be increased to 36 mills. Schwartz made a motion to apply excess levy as a debt service levy, seconded by Marks. Roll call vote: Marks, Schwartz, Neys, Klose, and Ova vote aye.

Dustin Bakken, Tax Director, presented the commission with two separate properties owned by Kevin and Debra Moore who filed tax abatement application. The Moore's feel the value is assessed higher than what the actual worth is. The first property parcel number 78-1900210 was reviewed by Bakken who stated it was an unlivable dwelling; the house has not been occupied for many years. There is also a mobile home and a two stall garage on the property which Bakken projected to be from the 1970's era. As of right now the property is valued at $13,100 for all three structures. Debra would like to see it valued

closer to $3,000 since all three structures are unstable. The City of Medina had a hearing October 2nd, 2012 and recommended no abatement. The city of Medina would like to see something done with the abandoned property rather than abating the taxes and letting the property continue to sit empty and also the safety hazard both properties have become. The second property parcel number 78-1410280 was previously owned by the Moore's son and his fiancé was purchased contract for deed but abandoned in 2010 and has been empty since then. The couple moved to Colorado and left the house empty and during the winter the pipes froze and ruptured. Bakken also looked at and suggests the structures on the property are overvalued and suggests using a lower value. Debra Moore asked for the second property to be valued at $5,000 due to all of the damage and the structure being unlivable and is currently being used as storage. The city of Medina also recommended no abatement for the second property but to have the county reassess the property so it has a more appropriate value. Bakken suggested a partial abatement with lower values for the first property at $4,700 and the second structure at $8,200 for 2013. Neys made a motion to approve partial abatement for tax years 2012 and 2013, seconded by Schwartz. Roll call vote: Schwartz, Neys, Klose, Ova, and Marks vote aye.

Mickey Nenow, Highway Superintendent, presented his monthly report stating his gravel crew is still working for the townships and contractors are still working FEMA sites. Nenow has set a goal of finishing the striping by Montpelier and Ypsilanti also the grade raise south of Cleveland but all is dependent on the weather. The Larson and Enzminger grade raises on county road 38 is also a work in progress. Nenow also let the commission know that the newly hired shop foreman started on Monday. Nenow will also be starting the project of checking right-of-way compliance and look for hay bale removals.

Fritz Fremgen, State's Attorney, updated the commission with his monthly report starting with the wind turbine contract and updating the language. Fremgen would like to review the Spiritwood Lake Lease agreement along with changing names but also focusing on the last paragraph which refers to the storage of campers. Fremgen would like to set up a contract for deed to transfer the road from township to county property. Fremgen also stated that Central Valley Health has approached him asking for his opinion along with other minor cases. Fremgen is asking to get rid of the time lag in the appeals system that is currently in place at Social Services. Fremgen worries about owing back-pay and believes ridding of the grievance committee would help in speeding up the process since the employee filed against is put on paid administrative leave. Fremgen informed the county that Social Services currently use a three tier system and the time lag that it causes. Fremgen would like the manual for Social Services to be re-done to eliminate such a lengthy process.

Dennis Clark has volunteered to fill the vacant position for the remainder of the term on the Water Board. Clark is an alternate and has offered to fill the position for the time being. Schwartz made a motion to approve Clark to fill the remaining unexpired term on the Water Board, seconded by Ova. Motion carried.

Homeland Security Grant for the 2012 fiscal year has been offered for $20,840 which is 100% funded grant. The LEPC was given the decision how the money would be spent and they suggest buying 15 defibrillators in the amount of $20,800 and distributing seven to the Sheriff's office, six to Jamestown Police Department, one to Jamestown Fire Department and one to the Rural Fire Department. The old defibrillators are going to go to the Ambulance Service in town to see if they can recertify them and distribute them to outlying agencies. The defibrillators that they are wanting to purchase were

recommended by the local ambulance and the American Red Cross. Motion made by Ova to accept the Homeland Security Grant, seconded by Schwartz. Motion carried.

At 4:41 p.m., the Stutsman County commission recessed for the County Park Board Meeting.

Official Proceedings of the Stutsman County Park Board – October 30, 2012

At 4:53 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, Mark Schlecht, and Mark T. Klose answered the roll call.

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

COUNTY PARK
0060966 44.72 AT&T MOBILITY; 0060973 3,534.91 BORDER STATES PAVING INC; 0060988 53.21 CENTURYLINK; 0060998 33.03 DAN POLAND MACHINE INC; 0061007 42.19 FASTENAL CO 0061022 84.64 INFINITY BUILDING SERVICES; 0061029 71.06 JAMESTOWN IMPLEMENT; 0061036 3,855.77 KREBSBACH BACKHOE SERVICE; 0061042 17.85 LORENZ/DENNIS; 0061043 29.59 MAC'S INC; 0061051 389.28 NAPA AUTO PARTS; 0061065 19.09 O'REILLY AUTOMOTIVE INC; 0061092 27.48 SCHUBERT'S CARPET ONE; 0061104 579.89 STUTSMAN COUNTY ROAD DEPARTMENT;0061105 113.50 STUTSMAN RURAL WATER DISTRICT;0061110 118.43 TRUE VALUE HARDWARE;0061136 2,492.00 ZORN STUMP GRINDING

Dennis presented his monthly report to the board. The park department is looking around $2,500 for tree removal and stump grinding. Lorenz reported that they did leave four to five docks in the water out at the Marina and intended to leave them there until the weather becomes much worse.

The Bureau of Reclamation has set the rates for the 2013 Cabin Permit Rates which increased. Cabin Association Board wants to see a freeze on the rates because they feel the land value has significantly decreased. Bureau of Reclamation declined freezing the rates and will be having appraisals done and has offered to pay for the services to be performed. Both the Bureau and Cabin Association agreed the land index is unacceptable but until something better is found the Bureau will keep using the current index. Commission would like to take the increase difference and set that money aside to help pay for the appraisals to ensure that the job will be completed. Fran Romsdahl, President of Cabin Association, is asking the commission to do forgiveness on 20% of the fees which the Cabin Association feels would be fair. The Cabin Association asks that 20% of the fees be returned to the cabin owners for their personal improvement projects at the cabins. Some cabin owners are worried about the appraisals coming in to high and rates going up even more. Cabin Owners have suggested returning the money to the cabin owners so they know that the fees they pay go to use on their personal property and not the public land at the reservoir. Cabin owners are also requesting to get a plan in motion with the Bureau of Reclamation to fix the depleting shore line. Scott Hettinger, Bureau of Reclamation, is looking at completing all of the appraisals by a company of their choice and finishing in the year 2013. Motion made by Marks to keep 100% of cabin fee increase and set it aside in a separate account, second by Ova. Roll call vote: Klose,

Schlecht, Woodward, Ova, Marks, Schwartz and Neys all vote aye.

An update on the Spiritwood Lease is brought to the board which they share that Ken Goetz and Ted Steckler have a buyer wanting to take over the lease. Fritz Fremgen, State's Attorney, wants to clear up paragraph 23 in the current lease that deals with winterizing campers. Blake Bond who is the potential buyer stated that he is in no hurry and would like to eventually get rid of winterizing campers. Goetz let the board know that in his half of the lease he placed a stipulation that they have to keep winterizing campers or he would revoke his half of the lease which was signed over to Steckler. Fremgen provided the board with a criminal background check on Mr. Bond who has a criminal record as well as his partner but the last conviction was 12 years ago. Klose questions what the county's liability would be at if they enter into an agreement with individuals who do carry a criminal record. Fremgen informed the board that if they were to sell the lease and enter into an agreement with Bond and his partner that it would fall under the premises of liability but also highly suggests using a modern lease rather than the current lease. Bond is requesting a 25 year lease added to the current six years left on the lease owned by Steckler. Marks made a motion to form a committee for the Spiritwood Lease made up of Schlecht, Schwartz, Sandra Eckelberg, Bradley, and Fremgen, second by Schlecht. Motion carried.

The Bureau of Reclamation sent a letter to the Park Board strongly recommends the concession agreements for Pelican Point be bid out. If the Board chooses to disregard the Bureau's recommendation, the Bureau requires the Board to submit an itemized justification in order for an extension of the agreement to be considered. Laura Beth Freutyl, concessionaire at Pelican Point, would like to file a petition or set up a meeting with the Bureau. Marks made a motion to table the issue until the next park board meeting, second by Woodward. Motion carried.

An incident report has been filed in regards to the fire started at the Jamestown Reservoir during the burn ban. Dennis Lorenz, Park Superintendent, reported that when he started the burn it was raining and that he had called dispatch, identified himself and that he would be doing a controlled burn. The board suggests checking the fire index and that the dispatch carries no burden in the incident. Dispatch did receive a complaint about 8 a.m. with Liz Kapp responded to the call and traveled to the reservoir to investigate. Procedures have since changed so when a person calls in about controlled burning the dispatch can now inform the caller of the fire index and also log the fire index at the time of the call.

The board will start the December 4, 2012 meeting one hour early for evaluations to be filled out.

At 6:07 p.m., a motion to adjourn the Stutsman County Park Board meeting was made by Marks, seconded by Schlecht. Motion Carried.

At 6:08 p.m., the Stutsman County Commission Meeting called back to order.

Marks made a motion, seconded by Schwartz to approve the bills for payment. Motion carried.

GENERAL
0060965 160.16 AMERICAN SOLUTIONS FOR BUSINESS;0060966 44.72 AT&T MOBILITY;0060970 75.54 BERGQUIST/JERRY;0060972 164.85 BOB'S PLUMBING & HEATING INC;0060974 63.68 BROWN & SAENGER;0060984 2,835.51 CENEX CREDIT CARD DEPT;0060988 1,095.03 CENTURYLINK;0060991 486.27

COLE PAPERS INC;0060999 120.00 DS SOLUTIONS;0061002 33.30 ECKELBERG/SANDRA;0061003 5,348.24 ELECTION SYSTEMS & SOFTWARE;0061006 56.88 FARGO GLASS & PAINT CO;0061009 3.18 FREMGEN/FRITZ;0061012 92.95 HAROLDSON'S A & B BUSINESS;0061013 375.00 HAUT FUNERAL HOME; 0061015 36.00 HELGESON/JOY;0061017 71.99 HOBBY TIRE;0061026 1,250.00 JAMESTOWN AMBULANCE; 0061027 203.24 JAMESTOWN ELECTRIC;0061033 247.18 JETSTREAM CAR WASH;0061037 120.00 KROPP LAW OFFICES PC;0061038 33.30 LANDSCOOT/MIKE;0061044 931.74 MAIL FINANCE;0061047 451.51 MDU;0061048 790.00 MEDINA AMBULANCE SERVICE;0061053 865.00 ND ASSOCIATION OF COUNTIES;0061057 490.00 NDAAO;0061059 1,528.03 NEOFUNDS BY NEOPOST;0061062 120.47 NILL CONSTRUCTION;0061067 389.52 OTIS ELEVATOR COMPANY;0061070 314.14 PERLEBERG/TYLER;0061078 502.57 QUILL CORPORATION;0061080 1,035.00 RAMKOTA HOTEL;0061087 73.71 RM STOUDT INC; 0061091 90.00 SANDNESS LAW OFFICE;0061092 7.82 SCHUBERT'S CARPET ONE;0061093 24.99 SEARS COMMERICAL ONE;0061094 131.25 SIMONSON/MIKAL;0061100 78.14 STEIN'S INC;0061102 904.95 STREICHER'S;0061116 141.25 VALENTA/RENEE;0061117 542.57 VERIZON WIRELESS;0061122 573.79 VISA SO 4194;0061124 49.61 WALMART;0061129 453.50 WEST GROUP PAYMENT CENTER;0061132 250.00 WILLIAMS-LISKO FUNERAL CHAPEL LTD

911 EMERGENCY PHONE SYSTEMS

0061061 47.50 NETWORK CENTER COMMUNICATIONS;0061120 168.36 VISA EMS 1790

ROAD FUNDS

0060972 127.05 BOB'S PLUMBING & HEATING INC;0060973 1,473.62 BORDER STATES PAVING INC; 0060977 40.00 BUSKNESS/JOHN O;0060978 194,719.67 BUTLER MACHINERY CO 0060980 140.03 CARQUEST AUTO PARTS;0060997 166.27 DAKOTA CENTRAL TELECOMMUNICATIONS JMTN;0061007 134.40 FASTENAL CO;0061018 91.94 HOME OF ECONOMY 0061028 58.35 JAMESTOWN IMPLEMENT; 0061030 19.80 JAMESTOWN PLUMBING &HEATING;0061032 90.88 JAMESTOWN SUN;0061034 5,122.50 JOHNSON/NOEL;0061043 75.39 MAC'S INC;0061045 70.00 MARG'S HANDY WORK;0061046 65.00 MARK'S DIESEL REPAIR;0061047 113.74 MDU;0061052 63.26 NAPA AUTO PARTS;0061063 466.71 NORTHWEST TIRE INC;0061065 55.40 O'REILLY AUTOMOTIVE INC;0061068 13.69 OTTER TAIL POWER CO; 0061072 126.00 PIONEER PLUMBING & HEATING;0061077 32.48 QUILL CORP;0061081 95.78 RDO TRUCK CENTERS;0061096 158.73 SINCLAIR/JOHN;0061101 2,551.10 STREETER COOP OIL;0061114 8,260.59 ULTEIG;0061118 3,342.97 VINING OIL CO;0061126 166.41 WALMART COMMUNITY BRC;0061128 140.40 WEST END HIDE & FUR;0061130 126.96 WIEST TRUCKLINE REPAIR;0061131 31.35 WILHELM CHEVROLET BUICK GMC;0061133 3,945.00 WOODWORTH FARMERS GRAIN CO

SOCIAL SERVICES FUND TOTAL 33,596.78

EMERGENCY

0060973 1,015.43 BORDER STATES PAVING INC;0061011 3,182.38 GLACIER TOWNSHIP #21;0061089 20,416.14 RTS SHEARING

COUNTY CORRECTIONAL CENTER

0060964 156.51 A & B BUSINESS INC;0060967 12.85 BDS LAUNDRY SYSTEMS;0060968 2,553.30 BEHAVORIAL INTERVENTIONS;0060971 128.68 BOB BARKER CO;0060972 97.38 BOB'S PLUMBING & HEATING INC;0060974 343.63 BROWN & SAENGER;0060982 18,037.99 CBM FOOD SERVICE;0060985 259.20 CENTRAL BUSINESS SYSTEMS INC;0060988 163.09 CENTURYLINK;0060991 637.12 COLE PAPERS INC;0060996 1,108.57 DACOTAH PAPER CO;0061004 500.00 ESSENTIA HEALTH;0061007 24.89 FASTENAL CO;0061008 3,250.00 FBI-LEEDA INC.;0061014 116.00 HEALTHCARE ENVIRONMENTAL SERVICES INC; 0061025 49.00 J & L SERVICE;0061027 168.45 JAMESTOWN ELECTRIC;0061031 1,559.00 JAMESTOWN REGIONAL MEDICAL CENTER;0061033 1,041.69 JETSTREAM CAR WASH;0061041 99.00 LIFESTYLE APPLIANCE;0061043 28.37 MAC'S INC;0061047 461.32 MDU;0061056 480.00 ND STATE RADIO

COMMUNICATIONS;0061064 190.00 NOVA FIRE PROTECTION LLC;0061071 147.00 PHARMCHEM INC; 0061073 185.91 PLUMBMASTER;0061075 12.90 PROBUILD;0061076 819.41 PSS WORLD MEDICAL INC; 0061083 240.00 REDWOOD BIOTECH INC;0061084 29.50 REDWOOD TOXICOLOGY LABORATORY INC; 0061088 50.91 RM STOUDT INC;0061097 480.00 SKEEL'S PAINTING & DECORATING;0061100 1,065.55 STEIN'S INC;0061103 245.00 STUTSMAN COUNTY GLASS;0061107 667.46 THRIFTY DRUG-WHITE DRUG; 0061109 11.26 TRUE VALUE HARDWARE;0061117 124.03 VERIZON WIRELESS;0061120 59.00 VISA EMS 1790;0061121 737.92 VISA LEC 4635;0061123 11.00 WALMART;0061125 206.71 WALMART COMMUNITY BRC;0061127 1,067.66 WALZ PHARMACY
WEED CONTROL
0060988 34.95 CENTURYLINK
VETERANS SERVICE
0061108 186.00 TOBIN/WARREN J
TAX REFUND
0061010 150.00 GERBER/KENNETH H & JEAN A;0061040 1,155.39 LIEN/DUSTIN & LUCINDA
COMMISSARY
0060979 47.31 CABLE SERVICES 0061027 416.23 JAMESTOWN ELECTRIC;0061074 10.00 PRETZER/BECKY; 0061111 82.80 TURNKEY CORRECTIONS;0061121 95.00 VISA LEC 4635;0061125 14.91 WALMART COMMUNITY BRC;0061129 45.00 WEST GROUP PAYMENT CENTER
DRUG PROGRAM FUND TOTAL 58.25
COURTHOUSE BUILDING
0060987 2,177.50 CENTRAL DAKOTA MECHANICAL INC;0061027 548.18 JAMESTOWN ELECTRIC; 0061095 99.00 SIMPLEXGRINNELL
DOCUMENT PRESERVATION FUND
0061115 3.00 UNDERGROUND VAULTS & STORAGE
COUNTY HAZARDOUS CHEMICAL ACCOUNT
0061120 19.95 VISA EMS 1790
DATA PROCESSING
0060983 2,189.00 CDW GOVERNMENT;0060988 23.30 CENTURYLINK;0060994 417.00 CPS TECHNOLOGY SOLUTIONS;0061023 583.20 INFORMATION TECHNOLOGY DEPT;0061086 22.20 RENAISSANCE RECYCLING;0061098 66.60 SMAAGE/JOSH;0061119 840.64 VISA AUD 1683
FEMA FUNDS
0060973 11,762.37 BORDER STATES PAVING INC

At 6:10 p.m., a motion to adjourn was made by Marks, seconded by Neys. Motion Carried.

ATTEST:

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Casey Bradley
Auditor/COO

Mark T. Klose
Commission Chairman