Official Proceedings of the Stutsman County Commission

November 15, 2011

At 8:00 a.m., Chairman Klose called the regular meeting of the Stutsman County Commission to order. Dennis Ova, Dale Marks, David Schwartz, Craig Neys and Mark T. Klose answered roll call.

Casey Bradley, Auditor/COO, informed the board that no other parties had contacted him regarding the upcoming vacancy on the Airport Authority Board. A motion was made by Neys and seconded by Schwartz to nominate Keith A. Veil and Arnold Siefken as candidates for the vacancy. Motion carried.

Bradley presented an application for an Anhydrous Ammonia License from Gavilon Fertilizer, LLC. Bradley stated that Midway Township had reviewed the application and had no objections to the authorization of the license. A motion was made by Ova and seconded by Neys. Roll call vote - Ova, Marks, Schwartz, Neys and Klose voted aye.

At 8:05 a.m., the commission conducted a bid opening for the second floor courthouse restroom remodel as well as gravel crushing services. Jim Fettig, Maintenance Supervisor, informed the board that a budget was established at $43,000 and he was aware that there was going to be some change orders from the bid specifications that were sent out. He requested that the board authorize him to approve change orders up to a predetermined amount. Chairperson Klose suggested establishing a committee to review change orders in lieu of one individual having the approval authority. A motion was made by Ova and seconded by Schwartz to establish a committee comprised of Commissioners Neys and Marks, Auditor/COO Bradley, and Maintenance Supervisor Fettig with the responsibility of overseeing the Restroom Remodel and have the authority to approve any change orders less than $1,000 not to exceed the budget. Roll call vote - Marks, Schwartz, Neys, Klose and Ova voted aye.

Fritz Fremgen, State's Attorney, reviewed the bid bond and contractor's license of all three bidders, no irregularities were noted. Bids were opened and amounts reported as follows: Wick Construction Inc. - Base Bid $40,300, Alternate No. 1 $4,725; Hillerud Construction Inc. - Base Bid $42,150, Alternate No. 1 $4,550; Schumacher Construction Inc. - Base Bid $42,969, Alternate No. 1 $3,800. A motion was made by Neys and seconded by Schwartz to table the award so staff has time to review the bids to insure they are in compliance with bid specifications and recommend award at the next board meeting. Motion carried.

State's Attorney Fremgen noted irregularities on the single bid for gravel crushing services. A motion was made by Marks and seconded by Schwartz to wave the irregularities and open the bid. Wm. D. Scepaniak, Inc. submitted a bid for gravel crushing services as follows: ¾" $4.60 per cubic yard and 1" $4.20 per cubic yard. A motion was made by Neys and seconded by Schwartz to table the award until the next meeting. After discussion Neys amended his motion to defer so the highway committee can review and make the final approval on the award, seconded by Ova. Roll call vote – Schwartz, Neys, Klose, Ova and Marks voted aye.

Darrell Wollan, Jamestown City Assessor, presented a request for tax abatement on Parcel #74-1304290, Lot 5 Block 8, Bagan's College Park Additions, City of Jamestown. Wollan informed the Commission that the city had unanimously approved this request. A motion was made by Ova and seconded by Marks to approve the reduction in true and full value for 2011 on the property presented from $138,800 to $133,765. Motion carried.

Reed Schwartzkopf, City of Jamestown Engineer, informed the board of the application that had been submitted for Lake View Terrace subdivision. Schwartzkopf informed the board that he had some reservations regarding the proposed south access point on 28th Street NW. However, the anticipated traffic flow should be low enough that it should not present any major problems.

Auditor/COO Bradley presented a reimbursement resolution for Special Assessment District as follows:

BE IT RESOLVED by the Board of County Commissioners of Stutsman County, North Dakota (the "County"), as follows:

SECTION 1. RECITALS.

(a) Treasury Regulation Section 1.150-2 (the ARegulations@) restricts the use of tax-exempt bond proceeds to reimburse the County for project expenditures made by the County prior to the date of issuance of such bonds.

(b) The Regulations generally require that (i) the County declare its official intent to reimburse itself for prior expenditures from the proceeds of a subsequent issue of tax-exempt bonds no later than 60 days after making such expenditures, (ii) the bonds be issued within 18 months after making an expenditure or within 18 months after the project is placed in service, but in no event more than three years after the date the original expenditure was made, and (iii) the expenditure be either a capital expenditure or a cost of issuance of the bonds.

(c) The County intends to make certain road improvements to 35th Street SE and 93rd Avenue SE, and related road improvements providing access to the industrial park located approximately one mile south of Spiritwood, North Dakota. The County desires to comply with the Regulations in order to preserve the option of the County to be reimbursed for certain expenditures from the proceeds of tax-exempt bonds. The County currently expects to pay a portion of the costs from funds on hand until the County can be reimbursed for such expenditure from the proceeds of bonds.

SECTION 2. OFFICIAL INTENT DECLARATION.

The County reasonably expects to be reimbursed for all or part of the expenditures made for the construction of the project from the proceeds of bonds to be issued by the County. The maximum principal amount of such bonds or other obligations which may be issued for such purpose and other improvement district purposes is approximately $4,000,000.

A motion was made by Schwartz and seconded by Marks to adopt the resolution as presented. Motion carried.

Auditor/COO Bradley presented a letter outlining the existing township balances that have been unpaid for over a year for townships that have not levied the full 36 mills. A motion was made by Neys and seconded by Marks to increase the levies on the townships as presented. Roll call vote – Neys, Klose, Ova, Marks and Schwartz voted aye.

Mickey Nenow, County Highway Superintendent, informed the Board that more damage has been incurred on County Highway 39 in St. Paul Township that was part of a 2011 FEMA qualifying event. Because of the scope of damage that has been incurred on this road it must be repaired as soon as possible as this is the only access to several residences along the road. This was also a unique situation, in that this road is partly owned by the county and partly owned by the township.

After discussion with St. Paul Township officials, it was determined the township does not currently have the capacity to fund the ER work at this time. It is the recommendation of Superintendent Nenow and Auditor/COO Bradley that the County proceed with the ER work now and get reimbursed in the spring when we do the remainder of the FEMA repairs. A motion was made by Marks and seconded by Ova to authorize the necessary repair work and to proceed with the ER work. Roll call vote – Klose, Ova, Marks, Schwartz and Neys voted aye.

Auditor/COO Bradley discussed the current status of funding on ER projects as well as anticipated cash flows for 2012. It was the consensus of the board to have bond council at the next meeting to discuss the options that may be available for assisting with the County's costs of these projects.

A motion was made by Marks and seconded by Ova to award the 2012 ER Engineering Services to Interstate Engineering. Roll call vote – Ova, Marks, Schwartz, Neys and Klose voted aye.

Auditor/COO Bradley informed the board that Rusty Bjorland has requested to pile snow on County owned Lots 4 and 5, Block 3, Buffalo Heights Addition. NDRIF, the County's insurance provider, did not have any issues with this request but recommended that the private party have the minimum $1 million liability insurance coverage and list the county as additional insured on their policy. The City of Jamestown has no objection to the County allowing this either. A motion was made by Schwartz and seconded by Marks to allow Mr. Bjorland to pile snow as requested for a period of one year provided the insurance provision is satisfied. Motion carried.

Sarah Gasevic, Sales & Marketing Representative from The Village Business Institute, presented a proposal for an Employee Assistance Program. It is the recommendation of the County Wage and Benefit Committee to look at implementing this type of program. The committee reviewed other companies and their programs and recommended that the Board consider this company. It was the consensus of the board to send the proposal for review by the personnel committee.

A motion was made by Neys and seconded by Schwartz to approve the November taxable meals of $287.00 and mid-month bills as presented. Roll call vote – Marks, Schwartz, Neys, Klose and Ova voted aye.

Fund	Warrant No	Amount	Vendor Name
GENERAL			
	0057416	180.08	AMERICAN SOLUTIONS FOR BUSINESS
	0057418	11.44	ANDERSON/JAMIE
	0057419	380.00	BIG D'S GRAPHICS & TRIM
	0057420	9.56	BOB'S PLUMBING & HEATING INC
	0057422	23.09	BROWN & SAENGER
	0057423	540.00	BULLBERRY SYSTEMS INC
	0057429	1,272.21	CITY OF JAMESTOWN
	0057430	283.40	COMFORT INN
	0057437	582.14	DAN'S SOOPER STOP
	0057438	1,925.00	DKK GUARDIANSHIP SERVICES INC
	0057439	145.91	FARMERS UNION OIL CO-CENEX
	0057441	35.81	HAROLDSON'S A & B BUSINESS
	0057444	55.50	INFORMATION TECHNOLOGY DEPT
	0057446	225.00	J & L SERVICE
	0057447	560.50	JAMESTOWN COMMUNICATIONS INC
	0057448	884.88	JAMESTOWN I-94 CLARK
	0057460	92.00	NORTHERN PLAINS ELECTRIC
	0057461	570.42	NORTHERN SAFETY TECHNOLOGY INC
	0057463	7,546.50	OFFICE OF ADMINISTRATIVE HEARINGS
	0057464	3,196.84	OTTER TAIL POWER CO
	0057467	191.77	PRESS ROOM/THE
	0057468	31.39	PROBUILD

	0057472	45.00	SANDNESS LAW OFFICE
	0057473	220.00	SCHAEFFER/SUZETTE
	0057476	734.45	STOP & GO #431
	0057481	181.99	TDS METROCOM
	0057484	100.00	TRAUT LAWN IRRIGATION INC
	0057485	40.00	TRAUTMAN/RUSSELL
	0057487	2.80	UNDERGROUND VAULTS & STORAGE
	0057490	27.03	VOLK/TODD
	0057491	19.74	WALMART COMMUNITY BRC
		20,114.45	Final Total
911 EMERGENCY PHONE SYSTEM			
	0057428	1,291.41	CENTURYLINK
	0057456	5,450.98	N D ASSOCIATION OF COUNTIES
	0057481	6.10	TDS METROCOM
		6,748.49	Final Total
ROAD FUNDS			
	0057415	126.99	A & B BUSINESS INC
	0057417	221.54	AMERIPRIDE LINEN & APPAREL
	0057421	61,099.03	BORDER STATES PAVING INC
	0057424	511.48	BUTLER MACHINERY CO
	0057425	494.91	CARQUEST AUTO PARTS
	0057429	11.50	CITY OF JAMESTOWN
	0057432	10,630.71	CREATIVE ENERGY
	0057434	163.81	DAKOTA CENTRAL TELECOMMUNICATIONS JMTN
	0057435	26.49	DAKOTA SANITATION
	0057436	6.00	DAKOTA VALLEY ELECTRIC
	0057440	119.85	GRUENSTEIN/LARRY
	0057442	34.95	HOME OF ECONOMY
	0057445	7,649.00	INTERSTATE ENGINEERING
	0057447	734.00	JAMESTOWN COMMUNICATIONS INC
	0057449	91.76	JAMESTOWN SUN
	0057451	21,575.00	KLUBBEN EXCAVATING INC
	0057452	388.31	M D U
	0057453	122.49	MAC'S INC
	0057455	15.15	MEDINA CITY AUDITOR
	0057458	190.00	NENOW/MICKEY
	0057459	47.95	NEWMAN SIGNS
	0057460	19.00	NORTHERN PLAINS ELECTRIC
	0057462	292.81	NORTHWEST TIRE INC
	0057464	563.92	OTTER TAIL POWER CO
	0057465	164.88	POWER PLAN
	0057466	136.50	PRAXAIR DISTRIBUTION INC
	0057469	140.08	QUALITY SERVICE & REPAIR
	0057478	2,243.90	STREETER COOP OIL
	0057481	17.57	TDS METROCOM
	0057486	4,936.58	TRUE NORTH STEEL
	0057489	92.39	VERIZON WIRELESS
	0057492	53.57	WEST END HIDE & FUR
		112,922.12	Final Total
SOCIAL SERVICES			
		592.13	Final Total
COUNTY PARK			
	0057428	128.65	CENTURYLINK
	0057435	250.82	DAKOTA SANITATION
	0057460	638.98	NORTHERN PLAINS ELECTRIC
		1,018.45	Final Total
EMERGENCY			
	0057480	494.57	STUTSMAN COUNTY ROAD DEPT
		494.57	Final Total
COUNTY CORRECTIONAL CENTER			
	0057427	169.71	CDW GOVERNMENT INC
	0057428	164.00	CENTURYLINK
	0057429	1,599.92	CITY OF JAMESTOWN

	0057464	5,755.47	OTTER TAIL POWER CO
	0057481	76.65	TDS METROCOM
		7,765.75	Final Total
WEED CONTROL			
	0057454	25.73	MAC'S INC
	0057464	52.53	OTTER TAIL POWER CO
	0057477	1,319.22	STOUDT INC/R M
	0057481	.16	TDS METROCOM
	0057489	142.67	VERIZON WIRELESS
		1,540.31	Final Total
VETERANS SERVICE			
	0057450	138.60	KELLY INN
	0057481	13.81	TDS METROCOM
		152.41	Final Total
COUNTY AGENT			
	0057422	21.99	BROWN & SAENGER
	0057433	112.08	DAKOTA CENTRAL TELECOMMUNICATIONS
	0057475	46.92	STEELE/TERESA
	0057482	9.33	TDS METROCOM
		190.32	Final Total
EMPLOYEES HOSPITAL INS			
	0057479	5,000.00	STUTSMAN COUNTY
		5,000.00	Final Total
COURTHOUSE BUILDING			
	0057471	273.00	ROUGHRIDER SIGNS & DESIGNS
		273.00	Final Total
DOCUMENT PRESERVATION FUND			
	0057426	328.00	CASS COUNTY TREASURER
		328.00	Final Total
DATA PROCESSING			
	0057422	469.96	BROWN & SAENGER
	0057431	2,728.00	COMPUTER PROFESSIONAL,ULTD,INC
	0057444	616.80	INFORMATION TECHNOLOGY DEPT
	0057470	20.00	RENAISSANCE RECYCLING
	0057474	61.20	SMAAGE/JOSH
	0057481	11.63	TDS METROCOM
		3,907.59	Final Total
CO EXTENSION FUND			
	0057422	16.44	BROWN & SAENGER
	0057443	2.31	HUGO'S 9
	0057457	75.00	NDAEA
	0057483	200.00	THOMPSON/WENDY
	0057488	160.00	UNIVERSITY OF MINNESOTA
		453.75	Final Total

Connie Ova, CEO JSDC, presented a proposal for Spiritwood Energy Park Association (SEPA). She informed the board that there would be a meeting regarding these materials on November 16th, 2011 at 11:45 a.m. in the lower level conference room at the Center for Economic Development.

At 9:30 a.m., a motion was made by Schwartz and seconded by Ova to adjourn the commission meeting. Motion carried.

ATTEST:

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Casey Bradley
Auditor/COO

Mark T. Klose
Commission Chairman