Official Proceedings of the Stutsman County Commission – November 20, 2012

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

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

Casey Bradley, County Auditor/Chief Operating Officer updated the commission on the amount owing from Wadsworth Township. Bradley noted the flooding and the maintenance from the flooding along with the regular road maintenance have put the township over the cap of $50,000 owing to the county. Currently the amount owing is over $70,000; the township of Wadsworth is requesting continued services to be performed by the county even though they exceeded the $50,000 cap. The township will be paying $20,000 to pay off a vendor bill and putting $4,000 back to the county and keeping the budget the same. Eventually the township will start to see culvert problems beings the age of the culverts and the water troubles. The tax revenue for 2013 is looking to be $14,900 which leaves them with $10,900 after repaying the county. There are still 2 ½ miles of closed road due to flooding which has crippled the community. The last FEMA project completed was around $26,000 with all of the money being paid back to private contractors. If the township would decide to dissolve, the county would then take over the roads and continue to recoup money owed to the county through special tax levies. The township would like to directly bill the individuals requesting work rather than running the money through the township books. Fritz Fremgen, State's Attorney, requests that the townships continue to receive and pay the bills owed to the county since they are liable for the maintenance and conditions of the roads. Townships carry the option to properly sign and close the roads making individuals responsible if they pass through the signs. Schwartz has made a motion to approve Wadsworth Township to exceed the capped amount and limit road work from the county, second by Marks. Roll call vote: Ova, Marks, Schwartz, and Neys all aye. Motion carried.

Jerry Bergquist, Emergency Manager, informed the commission of the burn ban that was signed on September 4, 2012 which has only been in effect eight days out of the two months. On November 9, 2012 the National Weather Service discontinued the daily fire index for the season. Marks made a motion to rescind the burn ban, second by Schwartz. Note made by Bergquist that they are currently in the works of placing an ordinance rather that doing a proclamation. Motion carried.

Jerry Bergquist updated the commission on the Southeast Regional Hazmat Mitigation Plan which would save both time and money. At the October 17, 2012 commission meeting, it was approved by the commission to commit to a Southeast Regional Hazmat Mitigation Plan. The state no longer wants to sponsor the application stating lack of resources and asked Stutsman County and Cass County to take the lead. Both counties stated the state should be the ones to take on the project since the application would deal with financials for different counties. The letter of commitment will be tabled until they can reach an agreement or a plan of action with the state.

Christina Rittenbach, NDSU Extension agent, introduced Lindsay Novak as the new Agricultural agent. Novak moved here from Wilton, North Dakota with a Bachelor's degree in Horticulture. Prior to this position she has worked in other agricultural fields. Currently Novak is working on the Winter Ag Expo

which has been a great opportunity for her to contact numerous people throughout the community. Tuesday will be designated as ladies day and Wednesday will be Ag day in the classroom which is geared specifically for younger students.

Mickey Nenow, County Highway Superintendent, presented the commission with the annual maintenance agreement with the North Dakota Department of Transportation. The county has to show proof that they are making effort for maintaining right-of-ways and the roads are also being maintained so that the County can continue to receive federal aid. Schwartz made a motion for approval for the agreement, second by Neys. Motion carried.

Casey Bradley, Chief Operating Officer, informed the commission that Gratech Construction has put in a request for a time extension before the meeting in which the commission had approved the two week extension. There was a late start due to RTS Shearing being the original bidder but was rejected because they failed to meet DBE requirements. Gratech has been working nights and weekends to catch up on the Larson and Enzminger grade raises and have shown a great effort to complete the project on time. Schwartz made a motion to approve a time extension to Gratech, second by Marks. Roll call vote: Marks, Schwartz, Neys, Ova all aye.

Bradley gave an update on Aspen Construction in which they are requesting another extension on top of the two week extension previously granted to them putting the end date October 31, 2012. Aspen sights a late start due to the county's late acceptance of an engineer on the project. On October 30, 2012 Aspen Construction put in a request for an extension. Bradley informed the commission that Aspen Construction hasn't put in an effort to complete the project stating there was only one request put in to work on one Saturday, no Sundays and the engineer documented the construction crews were gone before noon on three Fridays. Currently there is no viable option to complete the paving portion of the project with the temperatures being too cold so the project would be suspended until April 15, 2013 once all other portions of the project have been completed. Liquidated damages will be assessed daily until the engineer agrees that the project has reached an acceptable point, then the project will be suspended until April 15, 2013 at which point liquidated damages will be levied until the contract has been fulfilled. Schwartz made a motion to deny the extension request made by Aspen Construction, second by Marks. Roll call vote: Schwartz, Neys, Ova, and Marks all vote aye.

Mickey Nenow gave an update that the road crew has completed the striping in Montpelier. The gravel crew is still running but will be done for the season shortly. Nenow stated that the garage door in their storage garage was falling off and needed to be replaced; he presented price quotes from Jim's Door for $3,300 and Schumacher for $3,800 in which can be paid through the budget. Marks made a motion to accept the low bid, second by Neys. Roll call vote: Neys, Ova, Marks, and Schwartz all vote aye.

Nenow is also requesting to replace the current copy machine at the county shop. Central Business Systems has a used machine that has 4,000 copies on it for $2,995 and would pay $500 trade-in. Maintenance currently costs $405.60 and the new contract would cost $204.78 and they run roughly 12,000 copies in a year at the county. Mickey and Josh Smaage will research some more for a copier. Marks made a motion to purchase a copy machine, seconded by Schwartz. Roll call vote: Ova, Marks, Schwartz, and Neys all vote aye.

Nenow requested to purchase a laptop for the new shop foreman Layne Kittelson. The cost would be around $570 to run internet for Layne. Schwartz made a motion to approve the purchase of a laptop, second by Neys. Roll call vote: Marks, Schwartz, Neys, and Ova vote aye.

Josh Smaage, County IT Director, and Jim Fettig, Courthouse Maintenance supervisor, informed the commission of the Daktel Fiber that was recently cut during the old courthouse renovations costing $464 to repair which will be given to the Contractor responsible for damages. Smaage and Fettig are requesting relocating the fiber to above ground and placed higher to avoid another accidental cutting. There was a bid submitted of $4,600 to relocate the fiber but the maintenance and IT department have offered to help to save cost to the county for labor. Currently CSI has two coax cables, one for inmate television and the other for video conferencing in the basement which have been reran out of the old courthouse. Fettig also stated that they ran an antenna wire through the current hole in the courthouse so it's full. Fettig and Smaage would like to split the bill between their two budgets to pay. After relocating the fiber, Fettig would be able to remove all of the old piping that is currently used for the fiber and he would be able to concrete shut the tunnel through the old courthouse in the event of a fire or water to avoid damage in the new building. Marks made a motion to approve the relocation of fibers and cementing shut the old tunnel, seconded by Schwartz. Roll call vote: Schwartz, Neys, Ova, and Marks all vote aye.

Fettig updated the commission on the parking lot light project. The Sheriff's Department received a grant for a vehicle and was able to retain the old vehicle which will be sold to the Highway Department for $10,000; which will be transferred to the courthouse maintenance budget to help pay for the light project. The new lights will have a large energy saving cost. Fettig informed the county with measure four passing during the general election they removed ash tray receptacles, are in the process of placing signage at every entrance and also all county owned vehicles must be marked with no-smoking on outside of the vehicle.

Bradley updated on two local raffle permits submitted by Jamestown Ducks Unlimited with locations at the 281 Stop in Pingree and The Decoy located in Medina. Bradley sighted Century Code 53.06.1-3 with the first option for the board to delegate a person to sign off on raffle permits. The second option is to preapprove all raffle permits. Schwartz made a motion to delegate Bradley to approve and sign off on raffle permits, second by Neys. Motion Carried

Fritz Fremgen, State's Attorney, is requesting the commission allow him to contract out some of the work load. Fremgen sighted Ashley Heitkamp, Assistant State's Attorney, being on leave that the workload has been increasingly difficult to keep up with only two lawyers on staff. There are numerous projects still needing attention including the Spiritwood Special Assessment District, specials, deeds, easements, right-of-ways, etc. Joseph Larson is willing to take on all property projects and is charging around $100 per deed. Casey Bradley, Chief Operating Officer, will do a memorandum for Larson's review to enter into an agreement with Spiritwood Township. Fremgen informed the county of a seizure within the county that amounted to eight pounds of weed and approximately $14,000 cash which will put $2,400 back to the State's Attorneys budget. Fremgen would like to run an advertisement for law students to help with the more time consuming projects. Fremgen would like to find an area of expertise or a day of the week to have someone help with the work load. Fremgen cited that if they could find someone to take over the mental health cases that would help as they are seeing around four to ten a week. Neys made a motion

to contract out work, second by Schwartz. Motion Carried.

Marks made a motion to approve payment for taxable meals and mid-month bills, second by Schwartz. Motion Carried.

GENERAL
0061170 139.70 A & B BUSINESS INC;0061173 156.00 AMENT/BETTY;0061174 156.00 AMENT/VINCE; 0061176 240.60 ANDERSON/APRIL;0061179 174.00 AXTMAN/MARLENE;0061180 260.70 BACHMAN/VIOLET;0061181 394.20 BAKKEN/DUSTIN;0061182 598.08 BALCO UNIFORM CO INC;0061184 173.25 BENDER/STEVE G;0061186 116.55 BERGQUIST/JERRY;0061188 174.00 BOYD/JIM;0061192 97.98 CARLSON/LORI;0061197 1,061.10 CHADDUCK/LINDA;0061198 120.15 CHRISTENSEN/TOM;0061199 1,205.62 CITY OF JAMESTOWN;0061201 257.93 CLARK/LAVONNE L;0061203 174.00 CONLEY/COLLEEN; 0061205 9.90 COUNTRY SIDE RV;0061212 213.51 DALLY/MEGAN;0061213 765.31 DAN'S SOOPER STOP; 0061214 76.40 DAUER'S TROPHIES;0061215 231.18 DIEDE/DEBRA;0061216 2,035.00 DKK GUARDIANSHIP SERVICES INC;0061217 561.73 DUBORD/GWEN;0061218 312.48 ECKELBERG/SANDRA;0061219 1,937.40 EDINGER/RICHARD/LAW OFFICE;0061221 231.63 EKREN/MARLENE;0061223 95.76 ERICKSON/BARB; 0061224 174.00 EXNER/CAROLYN;0061225 174.00 EXNER/JAMES;0061227 70.63 FARMERS UNION OIL CO-CENEX;0061228 219.24 FETTIG/JAMES D;0061229 168.00 FISHER/PATTY;0061230 185.10 FREY/GAYLE;0061233 174.00 FUCHS/LEANN;0061234 349.85 GIENGER/DONALD;0061235 278.25 GRAF/ESTHER;0061239 28.00 HANSON TIRE SERVICE;0061240 168.00 HANSON/ELAINE;0061241 223.50 HARELAND/ALICE;0061242 44.64 HAROLDSON'S A & B BUSINESS;00612 44 174.00 HEINRICH/JOYCE; 0061246 102.92 HOBBY TIRE;0061250 56.70 INFORMATION TECHNOLOGY DEPT;0061251 280.00 INSTITUTE OF LOCAL GOVT;0061254 635.36 JAMESTOWN I-94 CLARK;0061256 3,629.20 JAMESTOWN SUN;0061257 78.00 JOHNSON/NOEL;0061259 174.00 JULIAN/LAURIE;0061262 271.14 KOENIG/ELIZABETH;0061264 228.30 KULLA/MARY ELLEN;0061265 168.00 LARSON/KERRY;0061270 931.74 MAIL FINANCE;0061273 61.32 MARKS/ANN;0061274 235.80 MCPHERSON/CHERYL;0061275 811.20 MDU;0061278 258.66 MICHEL/LYNDSEY;0061280 174.00 MOSOLF/LAURIE;0061290 98.00 NORTHERN PLAINS ELECTRIC;0061293 237.39 ODENBACH/LARUE;0061294 156.00 OLSON/GARY;0061295 181.32 OLSON/LUCILLE E;0061296 16.00 ONE HOUR MARTINIZING;0061297 200.00 ORR"IGINALS; 0061298 3,221.47 OTTERTAIL POWER CO;0061299 3,480.00 OTTMAR & OTTMAR PC;0061301 260.70 PATTON/JANET;0061303 107.76 PERLEBERG/JUDY;0061304 384.90 PERLEBERG/TYLER;0061307 193.00 PRESS ROOM/THE;0061309 73.11 QUILL CORPORATION;0061310 112.20 READEL/JACKIE;0061315 862.50 SANDNESS LAW OFFICE;0061316 174.00 SCHAACK/BEVERLY;0061317 74.25 SCHALLER/JAMES;0061320 195.00 SIMONSON/MIKAL;0061321 1,084.32 SMAAGE/JOSH;0061322 244.50 SNYDER/LINDA M;0061324 199.65 SOUPIR/ELAINE;0061325 168.00 SPANJER/KATE;0061328 574.05 STOP & GO #431;0061332 179.02 TDS METROCOM;0061334 156.00 THOMPSON/JAMES C;0061335 174.00 THOMPSON/JAN; 0061337 261.60 TIMM/ELAINE;0061340 40.00 TRAUTMAN/RUSSELL;0061341 872.00 TWO RIVERS PRINTING;0061342 18.00 TWO RIVERS PRINTING;0061343 174.00 URDAHL/RUTH;0061344 408.14 VALENTA/RENEE;0061346 179.88 VIGESAA/EILEEN;0061353 274.92 WILLIAMS/JUDITH;0061354 168.00 WOLFF/PAM;0061356 48.83 YOUTHWORKS
911 EMERGENCY PHONE SYSTEMS
0061171 90.00 ALERT-ALL CORP;0061196 1,200.30 CENTURYLINK;0061209 521.00 DAKOTA CENTRAL TELECOMMUNICATIONS;0061210 229.32 DAKOTA CENTRAL TELECOMMUNICATIONS JMTN;0061253 50.00 JAMESTOWN COMMUNICATIONS INC;0061332 15.11 TDS METROCOM
ROAD FUNDS

0061175 337.10 AMERIPRIDE SERVICES;0061177 230.80 ANDERSON/CHARLES;0061187 2,207.94 BORDER STATES PAVING INC;0061189 30.99 BROWN & SAENGER;0061191 1,819.36 BUTLER MACHINERY CO; 0061193 410.71 CARQUEST AUTO PARTS;0061195 66.00 CENTRAL BUSINESS SYSTEMS INC;0061199 11.75 CITY OF JAMESTOWN;0061202 141.09 CNH CAPITAL;0061207 17,800.95 CREATIVE ENERGY;0061210 238.81 DAKOTA CENTRAL TELECOMMUNICATIONS JMTN;0061211 7.00 DAKOTA VALLEY ELECTRIC; 0061226 68.09 FARGO TRAILER CENTER;0061237 155.40 GRUENSTEIN/LARRY;0061242 189.99 HAROLDSON'S A & B BUSINESS;0061247 34.03 HOME OF ECONOMY;0061252 38,044.50 INTERSTATE ENGINEERING;0061253 515.00 JAMESTOWN COMMUNICATIONS INC;0061255 4,165.91 JAMESTOWN IMPLEMENT;0061263 185.65 KOLLMAN/LLOYD;0061266 11.99 LAWSON PRODUCTS INC;0061268 119.40 LINDSAY SOFT WATER;0061269 5.99 MAC'S INC;0061275 368.36 MDU;0061276 15.15 MEDINA CITY AUDITOR;0061279 2,306.00 MISSOURI VALLEY PETROLEUM;0061282 1,037.78 NAPA AUTO PARTS; 0061283 160.00 ND ASSOCIATION OF COUNTIES;0061285 180.00 ND LOCAL TECHNICAL ASSISTANCE PROGRAM;0061289 268.52 NEWMAN SIGNS;0061290 34.00 NORTHERN PLAINS ELECTRIC;0061291 3,700.70 NORTHWEST TIRE INC;0061292 92.23 O'REILLY AUTOMOTIVE INC;0061298 445.68 OTTER TAIL POWER CO;0061305 277.80 POWER PLAN;0061306 315.51 PRAXAIR DISTRIBUTION INC;0061308 42.37 QUALITY SERVICE & REPAIR;0061311 36.90 RENAISSANCE RECYCLING;0061314 248.58 SAFETY KLEEN CORP;0061329 70.00 STUTSMAN COUNTY AUDITOR;0061330 25.00 STUTSMAN COUNTY GLASS;0061332 11.21 TDS METROCOM;0061347 3,591.45 VINING OIL CO;0061350 4.80 WEST END HIDE & FUR;0061357 3,579.81 YPSILANTI EQUITY ELEVATOR

SOCIAL SERVICES TOTAL 630.11

COUNTY PARK

0061196 108.26 CENTURYLINK;0061290 1,125.50 NORTHERN PLAINS ELECTRIC

EMERGENCY FUND

0061232 2,735.31 FRIED TOWNSHIP #18;0061238 11,041.47 GUTHMILLER EARTHMOVING INC;0061252 2,999.00 INTERSTATE ENGINEERING;0061284 50,387.70 ND DEPT OF TRANSPORTATION

COUNTY CORRECTIONAL CENTER

0061196 438.71 CENTURYLINK;0061199 1,492.91 CITY OF JAMESTOWN;0061275 663.24 MDU;0061281 51.00 MUNSON/BRENDA;0061298 5,722.16 OTTER TAIL POWER CO;0061332 101.99 TDS METROCOM; 0061336 388.50 THOMPSON/WENDY;0061352 918.00 WILDSIDE CREATIONS INC

WEED CONTROL

0061178 2,506.00 ANDERSON/JAY;0061183 840.00 BARNICK/JEROME;0061185 714.00 BENNETT/DAREN; 0061190 280.00 BRUNSCH/DALE E;0061204 1,512.00 COUNCILMAN/PAUL;0061208 456.00 CROP PRODUCTION SERVICES;0061220 2,807.00 EKREN/H.M.;0061222 3,000.00 ELSTON/RYLEY;0061231 3,000.00 FREY/MARVIN;0061245 1,260.00 HIGGINS/ROD;0061248 1,330.00 HUEBNER/MIKE;0061258 1,050.00 JOHNSON/SONNY;0061260 1,120.00 KLOSE/GENE;0061261 2,744.00 KLOSE/RICHARD;0061272 540.48 MANSON/RONALD;0061277 504.00 MEIKLE/DAN;0061298 20.63 OTTER TAIL POWER CO;0061300 1,512.00 PAASCH/JIM;0061302 140.00 PATZER/DARRELL;0061312 1,344.00 ROHDE/DIANN;0061318 1,176.00 SCHMITT/JOSEPH;0061331 72.47 STUTSMAN RURAL WATER DISTRICT;0061339 560.00 TRAUTMAN/HAROLD;0061345 88.90 VERIZON WIRELESS;0061349 700.00 WALICSKI/DONALD;0061351 3,000.00 WIEST/J P;0061355 10,572.82 XTREME AUTO INC

VETERANS SERVICE

0061332 6.08 TDS METROCOM;0061338 110.00 TOBIN/WARREN J

COUNTY AGENT

0061209 112.08 DAKOTA CENTRAL TELECOMMUNICATIONS;0061288 115.00 NEAFCS;0061326 50.60 STEELE/TERESA;0061333 5.17 TDS METROCOM

EMPLOYEES HOSPITAL INS
0061286 100,373.28NDPERS
DRUG PROGRAM TOTAL 376.01
DATA PROCESSING
0061194 588.95 CDW GOVERNMENT;0061206 417.00 CPS TECHNOLOGY SOLUTIONS;0061250 583.20 INFORMATION TECHNOLOGY DEPT;0061309 111.59 QUILL CORPORATION;0061332 6.06 TDS METROCOM
CO EXTENSION FUND
0061243 45.75 HATLEWICK/DEBRA;0061249 4.53 HUGO'S 9;0061287 14.00 NDSU EXTENSION PESTICIDE PROGRAM
GRANTS
0061323 20,800.00 SOS TECHNOLOGIES
FEMA FUNDS
0061172 4,052.53 ALEXANDER TOWNSHIP #1;0061236 14,558.63 GRIFFIN TOWNSHIP #23;0061252 23,048.30 INTERSTATE ENGINEERING;0061267 8,872.54 LENTON TOWNSHIP #29;0061271 108,098.68 MANNS TOWNSHIP #33;0061313 8,351.45 ROSE TOWNSHIP #46;0061319 9,339.06 SHARLOW TOWNSHIP #49;0061327 37,158.00 STIRTON TOWNSHIP #53;0061348 11,428.50 WADSWORTH TOWNSHIP #58
WAGES 12079-12268 477,439.96 10-25-12

At 9:03 a.m., a motion to adjourn was made by Neys, seconded by Schwartz. Motion Carried.

ATTEST:

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Casey Bradley
Auditor/COO

Denny Ova
Commission Chairman