Official Proceedings of the Stutsman County Commission – December 4th, 2012

At 3:00 p.m., Chairman Klose called the meeting of the Stutsman County Commission to order. Denny Ova, Dale Marks, David Schwartz, Craig Neys and Mark T. Klose answered the roll call.

The commissioners discussed the 2012 annual evaluations for Sandy Bendewald, Director of Social Services; Casey Bradley, Auditor/COO; Dennis Lorenz, Park Superintendent; and Mickey Nenow, Highway Superintendent. Casey Bradley will tabulate the evaluations to get a combined total. Bradley will have a formal evaluation at the next commission meeting for signatures.

Commissioner Neys recommended having employees fill out a staff survey on the supervisors and implement this next year.

At 3:55 p.m., the Stutsman County recessed for the regular meeting for the Stutsman County Commission.

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.

A correction needs to be made to the November 20, 2012 minutes. The minutes were amended as follows: Mickey and Josh Smaage will research some more for a copier. Marks made a motion to purchase a copy machine, seconded by Schwartz. Ova made a motion, seconded by Schwartz to amend the November 2012 minutes. Motion Carried.

Schwartz made a motion, seconded by Neys to approve the minutes as amended of the November 2012 meeting. Motion Carried.

Neys made a motion, seconded by Schwartz to approve the resolution to award the bid for projects CER-4717(086), CER-4717(087), CER-4717(088), CER-4717(089), and CER-4717(091) to the low bidder of Guthmiller Earthmoving, Inc. in the amount of $2,387,390.91 which is $346,130.39 under the engineer's estimate. Roll call vote: Ova, Marks, Schwartz, Neys, Klose voted aye.

Stutsman County received two bids for engineering servies. They are from Interstate Engineering and Ulteig Engineers. 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) to Ulteig Engineers, Inc. as presented. Roll Call vote: Marks, Schwartz, Neys, Klose, Ova voted aye.

Dernell Dennings from Central Business Systems raised a question regarding the copier information from the November 20, 2012 meeting. A copier was purchased for the road department. Josh Smaage, IT Director, contacted the company to see if Stutsman County cancelled the order if there would be a financial penalty incurred. Josh left the meeting to call the company.

Mickey Nenow, Highway Superintendent, presented his monthly report. The Enzminger grade raise and Larson grade raise which was done by Gratech have been completed. The dirt work and grass seed will be done next spring on these two projects. There are two areas south of Cleveland; one is being referred to as Randy's curve and the other is Hehn Schaeffer Lake. Randy's Curve has been completed. The Hehn Schaeffer Lake grade raise are planning to finish the rock this week. The Hehn Schaeffer Lake grade raise will have the dirt work, grass seed, and paving left; which will be finished in the spring. There are liquidated damages in the Hehn Schaeffer Lake project due to an engineering error. Interstate Engineering is the engineer on this project.

Mickey requested to do some concrete work in the shop to repair some cracks and dips. Schwartz made a motion, seconded by Marks to approve the request as presented. Roll call vote: Schwartz, Neys, Klose, Ova, Marks voted aye.

Jim Boyd, Jamestown/Stutsman Development Corporation Board of Directors, requested approval to hire SRF Consulting to perform consulting services in regards to planning in the City of Jamestown and the county. SRF Consulting provided three proposals. The first proposal is the growth management planning which provides professional services for a growth management plan that includes a land use plan and zoning recommendations for Jamestown and the surrounding extraterritorial area. The second proposal is the strategic

growth area which are identified as priority growth areas. The third and last proposal is the planning and zoning technical assistants which is a development review process including public and procedural notification. It is and 80/20 City/County split for a total of $45,312.00. The county's share would be $9,062.00. Gregg Greenquist, SRF Consulting, spoke to the commission regarding how SRF Consulting will be useful to the City of Jamestown and Stutsman County. Schwartz made a motion, seconded by Neys to approve the request as presented. Roll call vote: Neys, Klose, Ova, Marks, Schwartz voted aye.

Connie Ova, JSDC, introduced Holly Miller to the commissioners. She is a new employee with Jamestown/Stutsman Development Corporation.

Casey Bradley, Auditor/COO received an email from Chris Hupke. Chris is requesting Stutsman County to write a letter of support to Congressman Berg for H.R. 3307: American Renewable Energy Production Tax Credit Extension Act of 2011. Ova made a motion, seconded by Marks to approve the request as presented. Motion Carried.

Josh Smaage, IT Director, returned to the commission meeting. The copier that was purchased for the road department has been shipped from the company. It would cost Stutsman County $1,000.00 to return the copier which consists of a shipping and restocking fee. The commissioners informed Dernell that their hands are tied in this matter. The commissioners apologized and took it under advisement for future reference.

Jerry Bergquist, 911 Emergency Manager/Coordinator, introduced Sarah Van De Velde to the commissioners. Sarah is the new Assistant Emergency Manager/911 Coordinator for Stutsman County. Her first day was December 3rd, 2012.

Jerry informed the commissioners that they are in the process of being trained in on the new 911 equipment. There are two different types of training sessions which is the administrative training and the other is the user training. The cut-over date for all of the equipment in Wahpeton is December 18th, 2012 and the cut-over date for Stutsman County is December 19th. At no time will they take the whole system down at once. It will be done in phases to ensure that everything is working between the two counties.

Fritz Fremgen, State's Attorney, presented his monthly report to the commissioners. Fritz would like to advertise for an Assistant State's Attorney position. Ashley Heitkamp has taken a position in Barnes County. Fritz does not have a signed written resignation letter, but did receive a verbal resignation from Ashley. Ashley did give an interview for the Barnes County Newspaper and stated that she would be starting January 3rd, 2013. It is the consensus of the board to advertise for an Assistant State's Attorney position.

Fritz requested to advertise for a summer intern as a second year law student at $12.00 per hour. Marks made a motion, seconded by Ova to approve the request. Motion Carried.

Fritz informed the commissioners that Stutsman County has contracted with Dalsted & Ryan to do the mental health cases which cost $3600 per month on an outputs contract starting next week. Central Valley received an opinion from their attorney on septic systems. The attorney charged one hour. Fritz informed the board that he will follow up with Robin Iszler regarding the opinion from her attorney. Ova informed Fremgen that there is a Central Valley Health meeting on the 17th of December. The Sissell vs. Stutsman County case is bogged down with back and forth litigation. Fritz stated that he has looked at the wind turbine zoning ordinance. He has finished the draft on the Spiritwood Lake permit.

Stutsman County has two positions open on the County Park Board, four positions open on the Water Resource Board, one position for the Buffalo City Tourism Foundation Board, one position on the Social Services Board, and one position for the Tuition Appeals Board. The county has received numerous applications for the positions on the county boards. The applicants are listed by county board, if they are currently on the board or not, their occupation, other boards they serve on, their experience, if they are able to attend the meetings, declaration of conflicts, and ranking. The commissioners are to rank the applicants for each board and return the sheets to the Auditor's Office by December 14th, 2012. A question was raised as to the legality of appointing a board member to the Buffalo City Tourism Foundation

Board due to new case law. Stutsman County will be looking into this.

Ova made a motion, seconded by Schwartz to approve the following beer license applications: Krewzer's Dream Inc. d/b/a/ Buchanan Bar; Joey Uehran d/b/a/ 281 Stop; Shawndell Gudmestad-Moore d/b/a/ Hitching Post; Judith Ganser d/b/a/ Anchor Bar; Sandra Norquist d/b/a/ Ypsilanti Bar & Grill; Jamestown Country Club; and Carmel Demary d/b/a/ Windsor Bar. Motion Carried.

At 4:58 p.m., the Stutsman County recessed for the County Park Board Meeting.

Official Proceedings of the Stutsman County Park Board – December 4th, 2012

At 4:59 p.m., Chairman Klose called the regular meeting of the Stutsman County Park Board to order. Denny Ova, Dale Marks, David Schwartz, Robert Woodward, Mark Schlecht, Craig Neys, and Mark T. Klose answered the roll call.

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

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

COUNTY PARK

0061363 44.94 AT&T MOBILITY;0061382 53.01 CENTURYLINK;0061392 1,774.50 CREATIVE ENERGY INC; 0061410 90.67 FARMERS UNION OIL CO-CENEX;0061443 40.00 MICHEL'S AUTO SALES & PARTS LLC; 0061447 155.14 NAPA AUTO PARTS;0061460 800.50 NORTHERN PLAINS ELECTRIC;0061489 385.60 SMOKIE'S FIRE SALES & SERVICE INC;0061499 84.50 STUTSMAN RURAL WATER DISTRICT;0061504 6.99 TRUE VALUE HARDWARE;0061525 86.48 WILHELM CHEVROLET BUICK GMC

A Pelican Point concessionaire damage claim was submitted by Laura Beth Fruetel. Laura Beth had left some food items in the ice chest outside. Denny Lorenz unplugged the ice chest. Laura Beth filed a criminal complaint with the Sheriff's Department. There was some miscommunication between the two parties. Bradley reported that the damage claim was in the amount of $310.97. Ova made a motion, seconded by Woodward to approve paying the damage claim of $310.97 to Laura Beth Fruetel. Roll call vote: Woodward, Schlecht, Ova, Marks, Schwartz, Neys, Klose voted aye.

Neys made a motion, seconded by Schwartz to approve the transfer of Lot 38 West Side from Ronald Qual to Tom and Monica Diede contingent upon the paperwork being completed. Motion Carried.

Commissioner Schwartz informed the board that the permit has been drawn up. The permit is for 25 years starting after the year of 2019. Fritz Fremgen, State's Attorney, informed the commissioners of some of the changes with the Spiritwood Lake permit. The permit holder's name is Lake of the Prairie7:7, Corp. Schwartz made a motion, seconded by Ova to approve the permit as presented. Roll call vote: Schlecht, Ova, Marks, Schwartz, Neys, Klose, Woodward voted aye.

Dennis Lorenz, Park Superintendent, presented his monthly report. The Bureau of Reclamation recommended the county extend a one year concessionaire contract for Mike and Mary Kesler at Lakeside Marina. Neys made a motion, seconded by Woodward to approve the extension of a one year concessionaire contract at Lakeside Marina as presented. Motion Carried.

The Bureau of Reclamation recommended Stutsman County to bid out the Pelican Point Landing concession contract. Dennis visited with the Bureau of Reclamation and they stated that if the county needs to revise the contract that it should be done prior to bidding it out. A committee will meet to prepare and advertise the opening, and look over the concession contract. The committee members will be Craig Neys, Dennis Ova, Dennis Lorenz, Casey

Bradley, and Sandy Eckelberg. Schwartz made a motion, seconded by Schlecht to approve a committee to prepare, advertise, and bid out the Pelican Point Landing concession contract. Motion Carried.

Lorenz informed the commissioners that the bid specs will not be available until February for the new campground at Pelican Point.

A request for additional funding on the picnic shelter at Pelican Point was submitted to FEMA. FEMA suggested moving forward and putting up the picnic shelter and then doing an additional request for money after the shelter has been built. If the county does not do the project then the $2800 would need to be returned to FEMA. It is the consensus of the commissioners to move forward next year and build the picnic shelter at Pelican Point and then request additional funding from FEMA.

Bradley, Auditor/COO, informed the board that Laura Beth submitted a letter for the commissioners to

read. Laura Beth requested the commissioners to read her letter.

At 5:21 p.m., a motion to adjourn the Stutsman County Park Board meeting was made by Schwartz, seconded by Schlecht. Motion Carried.

At 5:21 p.m., the Stutsman County Commission Meeting reconvened.

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

GENERAL

0061363 44.95 AT&T MOBILITY;0061364 25.00 BARTLETT/LINDSAY;0061367 566.84 BOB'S PLUMBING & HEATING INC;0061370 305.07 BROWN & SAENGER;0061375 42.54 CARQUEST AUTO PARTS;0061379 1,771.00 CENEX CREDIT CARD DEPT;0061382 791.92 CENTURYLINK;0061385 768.42 CITY OF JAMESTOWN;0061386 392.65 COLE PAPERS INC;0061395 319.00 DACOTAH PAPER CO;0061398 25.00 DANBERRY/ JEFFREY;0061401 3,431.05 EDINGER/RICHARD/LAW OFFICE;0061402 3,298.27 ELECTION SYSTEMS & SOFTWARE;0061403 207.02 ELECTRIC SHOP;0061407 1,566.23 FARGO GLASS & PAINT CO; 0061416 172.95 HEANEY/CHRISTOPHER;0061417 118.45 HOME OF ECONOMY;0061421 136.26 INFINITY BUILDING SERVICES;0061424 1,250.00 JAMESTOWN AMBULANCE;0061427 43.63 JAMESTOWN IMPLEMENT - RD;0061428 54.00 JAMESTOWN REGIONAL MEDICAL CENTER;0061431 190.63 JETSTREAM CAR WASH;0061432 25.00 JOHNSON/TIMOTHY;0061436 60.00 LARRY'S AUTO GLASS;0061439 101.95 MAC'S INC;0061442 810.00 MEDINA AMBULANCE SERVICE;0061444 308.52 MID-AMERICAN RESEARCH CHEMICAL CORP;0061445 55.00 MINNESOTA SHERIFFS ASSOCIATION;0061453 195.84 ND NEWSPAPER ASSOCIATION;0061455 1,500.00 NEOFUNDS BY NEOPOST;0061458 111.00 NEYS/ CRAIG;0061467 152.07 PERLEBERG/TYLER;0061472 679.41 PROBUILD;0061480 264.60 ROUGHRIDER SIGNS & DESIGNS;0061481 307.50 SANDNESS LAW OFFICE;0061482 197.31 SCHUBERT'S CARPET ONE;0061483 25.00 SCHULTZ/JARED;0061485 359.09 SCHWARTZ/DAVID;0061488 367.99 SMITTY'S CARPET SHOP INC; 0061491 760.00 STATE BOARD OF LAW EXAMINERS;0061492 25.00 STEELE/DAKOTAH;0061493 25.00 STEELE/NATHAN;0061501 100.00 TRAUT LAWN IRRIGATION INC;0061502 25.00 TRAUTMAN/TYRELL; 0061508 302.86 VALENTA/WES;0061510 544.23 VERIZON WIRELESS;0061512 329.57 VISA AUD 1683; 0061515 5.01 VISA SO 4194;0061520 92.21 WALMART COMMUNITY BRC;0061524 453.50 WEST GROUP

PAYMENT CENTER;0061529 309.35 XTREME AUTO INC;0061530 55.99 5 STAR EXPRESS LUBE

ESTIMATED TAX FUND

0061498 49,744.70 STUTSMAN COUNTY TREASURER

911 EMERGENCY PHONE SYSTEM

0061415 71.55 HAROLDSON'S A & B BUSINESS;0061449 5,268.31 ND ASSOCIATION OF

COUNTIES; 0061466 2,766.00 PENGUIN MANAGEMENT INC;0061506 140.15 TWO RIVERS PRINTING; 0061513 140.30 VISA EMS 1790;0061519 64.21 WALMART
ROAD FUNDS

0061368 1,535.17 BORDER STATES PAVING INC;0061373 4,829.39 BUTLER MACHINERY CO;0061375 901.53 CARQUEST AUTO PARTS;0061378 672.83 CDW GOVERNMENT;0061385 11.75 CITY OF JAMESTOWN;0061391 69.07 CREATIVE ENERGY;0061396 23.11 DAKOTA ENGINES INC;0061397 6,974.23 DALLMANN SERVICES;0061408 175.76 FARGO TRAILER CENTER;0061409 2,583.00 FARMERS UNION OIL CO-CENEX;0061419 40.90 HOME OF ECONOMY;0061427 478.36 JAMESTOWN IMPLEMENT - RD;0061434 248.64 KOBLE/RON;0061439 72.33 MAC'S INC;0061440 70.00 MARG'S HANDY WORK;0061441194.83 MDU;0061448 614.12 NAPA AUTO PARTS;0061457 32.46 NEWMAN SIGNS;0061460 43.00 NORTHERN PLAINS ELECTRIC;0061461 275.37 NORTHWEST TIRE INC;0061462 45.23 O'REILLY AUTOMOTIVE INC; 0061465 14.30 OTTER TAIL POWER CO;0061486 158.73 SINCLAIR/ JOHN;0061495 2,274.00 STREETER COOP OIL;0061496 634.00 STUTSMAN COUNTY GLASS;0061499 55.19 STUTSMAN RURAL WATER DISTRICT;0061507 936.28 ULTEIG;0061511 850.95 VINING OIL CO;0061518 187.10 WALLWORK INC/W W; 0061522 130.51 WALMART COMMUNITY BRC;0061527 2,617.02 WOODWORTH FARMERS GRAIN CO

SOCIAL SERVICES FUND TOTAL 49,692.38
EMERGENCY
0061452 13,450.86 ND DEPT OF
TRANSPORTATION COUNTY
CORRECTIONAL CENTER

0061359 156.51 A & B BUSINESS INC;0061360 50.00 ACHSA;0061361 23.75 AMERICAN INSTITUTIONAL SUPPLY;0061362 168.88 ARROWWOOD RESORT;0061365 2,711.64 BEHAVORIAL INTERVENTIONS; 0061366 1,313.50 BOB BARKER CO;0061370 343.63 BROWN & SAENGER;0061374 95.60 CAPITAL CITY RESTAURANT SUPPLY INC;0061375 42.14 CARQUEST AUTO PARTS;0061377 15,032.11 CBM FOOD SERVICE;0061381 521.50 CENTRAL DAKOTA MECHANICAL INC;0061382 117.94 CENTURYLINK;0061385 1,678.21 CITY OF JAMESTOWN;0061386 1,090.28 COLE PAPERS INC;0061395 929.56 DACOTAH PAPER CO;0061405 500.00 ESSENTIA HEALTH;0061411 107.84 FASTENAL CO;0061413 39.99 GEROUX/GARRY; 0061414 76.32 GRAYBAR;0061415 149.30 HAROLDSON'S A & B BUSINESS;0061418 17.44 HOME OF ECONOMY;0061425 95.00 JAMESTOWN COMMUNICATIONS INC;0061430 315.00 JEFFREY D DOYLE INC; 0061431 1,056.98 JETSTREAM CAR WASH;0061435 25.01 KOROPATNICKI/DANIAL L;0061439 62.63 MAC'S INC;0061468 92.00 PHARMCHEM INC;0061469 45.21 PLASTOCON INC;0061470 150.77 PLUMBMASTER; 0061471 3.79 PROBUILD;0061473 792.51 PSS WORLD MEDICAL INC;0061476 86.95 REDWOOD TOXICOLOGY LABORATORY INC;0061482 270.31 SCHUBERT'S CARPET ONE;0061490 1,612.95 SOS TECHNOLOGIES;0061494 876.88 STEIN'S INC;0061500 1,718.93 THRIFTY DRUG-WHITE DRUG;0061501 160.00 TRAUT LAWN IRRIGATION INC;0061503 5.49 TRUE VALUE HARDWARE;0061505 40.00 TURNKEY CORRECTIONS;0061510 124.05 VERIZON WIRELESS;0061514 239.86 VISA LEC 4635;0061519 237.21 WALMART;0061521 170.76 WALMART COMMUNITY BRC;0061523 185.60 WATSON

WEED CONTROL
0061382 25.27 CENTURYLINK
VETERANS SERVICE
0061415 115.09 HAROLDSON'S A & B BUSINESS; 0061437 208.57 LEXISNEXIS
MATTHEW BENDER COUNTY AGENT
0061479 455.77 RITTENBACH/CHRISTINA
EMPLOYEES HOSPITAL INS
0061454 100,563.04 NDPERS
COMMISSARY

0061514 64.00 VISA LEC 4635;0061521 51.18 WALMART COMMUNITY BRC;0061524 179.00 WEST GROUP PAYMENT CENTER

DRUG PROGRAM FUND

TOTAL 42.12
COURTHOUSE
BUILDING

0061383 1,027.10 CHAMP INDUSTRIES;0061404 23,886.00 ELECTRONIC COMMUNICATIONS;0061414 10,877.31 GRAYBAR;0061426 967.49 JAMESTOWN ELECTRIC;0061487 700.00 SMITH'S FLOORING; COUNTY CORRECTIONAL CENTER CONST.

0061370 79.99 BROWN & SAENGER;0061464 400.00 OTIS ELEVATOR COMPANY;0061480 188.40 ROUGHRIDER SIGNS & DESIGNS
COUNTY HAZARDOUS CHEMICAL ACCOUNT FUND TOTAL 8.98
DATA PROCESSING

0061378 258.86 CDW GOVERNMENT;0061382 16.85 CENTURYLINK;0061389 5,462.24 COMPUTER PROFESSIONAL ULTD INC;0061416 66.60 HEANEY/CHRISTOPHER;0061512 99.99 VISA AUD 1683
GRANTS

0061428 480.00 JAMESTOWN REGIONAL MEDICAL
CENTER
JOB INCENTIVE FUND
0061429 20,633.00 JAMESTOWN/STUTSMAN
DEVELOPMENT CORP FEMA FUNDS

0061423 76,035.20 IOSCO TOWNSHIP #26;0061459 8,605.92 NOGOSEK TOWNSHIP #3 9;0061484 3,088.00 SCHUMACHER CONSTRUCTION INC;0061517 15,279.70 WADSWORTH TOWNSHIP #58;0061526 4,296.99 WOODBURY TOWNSHIP #63

WAGES
12079-12268 477,439.96
10-25-12

Chad Kaiser, Stutsman County Sheriff, requested the commissioners to look at a pay increase of one step for one of his employees. It was the consensus of the board to table this until the next commissioner meeting.

It is the consensus of the board to change the January 2013 commission meeting dates to January 8, 2013 and January 22, 2013.

At 5:34 p.m., a motion to adjourn was made by Schwartz, seconded by Neys. Motion Carried.

ATTEST:

Casey Bradley Auditor/ COO	Mark T. Klose Commission Chairman