Official Proceedings of the Stutsman County Special Commission – December 8th, 2016

Schwartz made a motion to approve the November minutes, seconded by Neys. Motion carried.

Lyndsey Michel, Accounts/Property Coordinator, presented the commission with a list of applicants for the 2017 beer & liquor licenses. The goal is to pro-rate the liquor licenses so they are all on the same schedule. Carmel Demaray also applied for a Sunday Alcoholic beverage license for July 1st through December 31st, 2016. Michel recommended approval pending payment and signature from Demaray. Neys made a motion to approve the liquor licenses, seconded by Schwartz. Motion carried.

Tyler Perleberg, Tax Director, requested a renewal for the GIS License & Support agreement that happens once a year. Fees are the same as last year. Schwartz made a motion, seconded by Ova to approve the renewal agreement. Roll call vote: Ova, Marks, Schwartz, Neys and Klose voted aye. Motion carried.

Mickey Nenow, Highway Superintendent, gave his monthly report. Graveling came to a stop due to the weather. Final inspection on the wind farms was completed on Monday, but there are a few issues that will be taken care of next spring. County road 33 needs some repairs as well.

Casey J. Bradley, Auditor/COO, made a recommendation to appoint Nicole Meland as the Recorder/Deputy Auditor at a grade 20 step 3, along with a step increase in January. As of December 1, 2016, the new position would begin. Meland has been working heavily with the elections, mill levies and the budgeting process. This movement of positions would eliminate Meland's current position, which would be a savings to the county budget. A motion was made by Schwartz, seconded by Ova to approve the recommendation. Roll call vote: Marks, Schwartz, Neys, Klose, and Ova all voted aye. Motion carried.

Bradley recommended appointing Nicole Meland to the Personnel Committee. Neys made a motion, seconded by Marks to appoint Meland to the Personnel Committee. Motion carried.

Bradley requested removing Linda Chadduck from all financial institution accounts and credit cards accounts and adding Nicole Meland. Ova made a motion to remove Chadduck and add Meland, seconded by Schwartz. Motion carried.

Bradley requested approval from the board for a yearend check run on December 30, 2016. Schwartz made a motion to approve the proposed yearend check run, seconded by Ova. Motion carried.

Bradley presented the board with nominations of Board Members for the following: Regional Airport Authority (Keith A Veil), Jim Boyd expressed keeping Keith Veil on the board, an unexpired term on the Housing Authority Board (Elizabeth Koenig), Social Services Board (John Conway) and Water Resource Board (Tony Roorda). Motion made by Ova, seconded by Schwartz to appoint the applicants to each board. Motion carried.

Bradley presented the Jail Feasibility Study to the board. Half of the cost was funded by the City and the other half paid by the County. The LEC board met and at this time they suggested to table the discussion due to the rising of cost. A remote facility would be the lowest cost rather than the vertical or horizontal expansion. Preliminary plans are done, but it would be tabled until the need

is present. Staff is heavier now because of the setup of the jail. Because the local inmate numbers are dropping off, it is not necessary at this point. Marks made a motion to table the Jail Feasibility study at this time, seconded by Ova. Neys questioned if it's possible to work with Barnes County to participate for some cost savings. Motion carried.

Fritz Fremgen, State's Attorney, presented his monthly report to the board. Fremgen informed the hiring situation with the legal secretary. The State's Attorney's Office has 7 people in the office, with 3 attorneys and 4 support staff. When Troy leaves at the end of December, it will be a loss of 4 staff members for the current year. The State's Attorney's Office had one qualified applicant, which they offered the position to, but she turned it down due to not wanting to take a lower pay. Fremgen would like to offer a higher wage to the qualified applicant. Fremgen received a lot of negative feedback from current staff. An approval of the offered wage at a grade 7, step 7, was asked of the board. Bradley brought up the same issues arose in the Corrections and Sheriff's department. Julie and Joni's position are the same and are at step 9 on the pay scale. The pay scale is dead on with the market. The problem is with the other positions at the same level. Bradley suggests correcting it by going to step 12 for Joni and Cindy going up at 2 additional steps as of January 1, 2017. Department heads have been working with the Personnel committee to find a permanent fix. The committee is trying to plan a long-term permanent solution. Bradley will bring more of the salary issues to the next commission meeting. A motion was made by Marks, seconded by Ova to approve the offered wage. Roll call vote: Schwartz, Neys, Klose, Ova, and Marks voted aye. Motion carried.

Fremgen updated the board on the vacancy of the Chief Assistant State's Attorney. The position is advertised for 3 years of experience. An applicant was offered a grade 20, but the applicant's family didn't want to move. The second applicant did not want to move as well. There have been no applicant's following the two for the Chief Assistant's position. Other places have been having the same issues due to pay. LeFevre is currently at $71,000. Defense attorneys are currently averaging $86,000 per year. Morton County is averaging $119,000 per year. Senior assistant states attorneys are also at a higher pay with only 1 year experience. Klose asked to table this until the next commission meeting.

Jerry Bergquist, Emergency Manager/911 Coordinator, informed the commission on membership changes to the Stutsman County Local Emergency Planning Committee (LEPC). James Vandehoeven and Alicia Harstad are being asked to join the already 39 member committee. The LEPC is recommending the approval of James and Alicia. Ova made a motion to approve the appointments, seconded by Neys. Motion carried.

Bergquist informed the commission of a redundant link for Barnes, Richland and Stutsman County's Shared 911 system. Back in July the commission approved going through with the redundant link and to make the system keep operating between all 3 counties. The cost was less than $25,000, but is currently having technical issues with a vendor. The project will more than likely carry over to the 2017 year. Stutsman County is responsible for 1/3 of the cost and Bergquist has budgeted into the 2017 year.

Bergquist gave an update on the radio tower lighting replacement project. On October 4, 2016, the commissioners moved to go ahead with the 24 hour LED lighting, but are waiting for approval from the FAA to change the lighting. The request to the FAA went in on October 5, 2016, but is at a standstill until Bergquist gets an answer from the FAA.

Stutsman County commission special meeting recessed for the Stutsman County Park Board meeting.

Official Proceedings of the Stutsman County Park Board – December 8th, 2016

At 4:55 p.m., Chairman Klose called the regular meeting of the Stutsman County Park Board to order. Dennis Ova, Dale Marks, David Schwartz, Craig Neys, Mark T. Klose, Jason Houge and Robert Woodward answered the roll call.

Houge made a motion to approve the minutes of the November 2016 meeting, seconded by Woodward. Motion carried.

Schwartz made a motion to approve the bills, seconded by Houge. Roll call vote: Neys, Klose, Woodward, Houge, Ova, Marks, and Schwartz voted aye. Motion carried.

Bradley requested appointing an interim authority for approval of bills and act on behalf of the Park Board. Bradley expressed that he would be willing to fill interim. A motion was made by Houge, seconded by Woodward. Motion carried.

Michel received notification and payment from Tracy Dale requesting to change cabin #58 west from a year-round to seasonal use. Neys made a motion to accept the request, seconded by Schwartz. Motion carried.

Dennis Lorenz, Park Superintendent, updated the board with a monthly report stating his official notice will be December 31, 2016. Lorenz has 2-3 weeks left of vacation time. There is still a 10% payout for sick leave. Lorenz asked the board if they would allow him to use the last 2 weeks by taking vacation time. Schwartz made a motion, seconded by Ova. Motion carried.

At 5:05 p.m. a motion was made by Houge to adjourn the Park Board meeting, seconded by Neys. Motion carried.

Stutsman County Commission was called back to order at 5:05 p.m.

Schwartz made a motion to approve the monthly bills and bills that were done on November 16th, November 17th, and November 23rd, seconded by Neys. Roll call vote: Klose, Ova, Marks, Schwartz, and Neys voted aye. Motion carried.

Legal authority for closing this portion of the meeting is N.D.C.C. Sections 44-04-19.2 and 44-04-19.1, subsections (2), (5), (6) and/or (9). The topic of this executive session is consultation with our State's Attorney regarding expectations for the pending litigation of Dundon et al vs. Stutsman County, 1:16-cv-00406-CSM and consideration of executing Waiver of Conflict(s) of Interest document.

A motion would be in order to discuss the next topic in an executive session rather than in an open meeting. Ova made a motion, seconded by Marks to discuss the topic in an executive session. Roll call vote: Ova, Marks, Schwartz, Neys, and Klose voted aye. Motion carried.

The executive session will be recorded and the board is reminded to limit their discussion during the executive session to the announced topic. Any collective discussion or any collective decision,

collective commitment, or any final action by the governing body, must occur after it reconvenes in an open meeting, unless final action is specifically required by law to be during the executive session. The prohibition of taking final action during the executive session does not apply to providing guidance or instructions to their attorney or negotiator.

Members of the public that were attending the meeting were asked to leave the room.

Executive session began at 5:10 p.m.

Executive session concluded at 5:19 p.m.

The commission would like to enter into the Waiver of Conflict of Interest. Schwartz made a motion to enter into the Waiver of Conflict of Interest, seconded by Ova. Roll call vote: Marks, Schwartz, Neys, Klose, and Ova voted aye. Motion carried.

Neys made a motion, seconded by Schwartz to adjourn to commission meeting at 5:19 p.m.

ATTEST:

_____	_____
Casey J. Bradley	Mark T. Klose
Auditor/COO	Commission Chairman