Official Proceedings of the Stutsman County Commission –December 18, 2012

At 8:00 a.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.

Jim Fettig, Courthouse Maintenance Supervisor, requested approval to purchase a John Deere lawn tractor. Jim and Howie Peuser both budgeted approximately $7,000 to purchase a lawn tractor. Jim informed the commissioners that he is starting a rotation system with Dennis Lorenz, County Park Superintendent. Jim has a lawn tractor that was purchased in 1985 and it needs to be replaced. Dennis has a lawn tractor that has approximately 1300 hours on it which will go to Jim. Jim will turn around and give Dennis his older used lawn tractor which has about 300 to 350 hours on it. The lawn decks will be switched to the new tractor and Jim will sell the oldest lawn tractor out right. The John Deere lawn tractor will cost around $15,250.00 for the tractor, cab, and heat. In another three years they will look at rotating another lawn tractor. Neys made a motion, seconded by Schwartz for approval to purchase a lawn tractor as requested. Roll call vote: Ova, Marks, Schwartz, Neys, Klose voted aye.

Jim presented the board with three courthouse facility improvement grants. He budgeted approximately $60,000.00 to do the following projects: tile the front area of courthouse lobby, eight doors need to be set up with the keyless entry and make the hallway to the judges secure; nine heat pumps need replacement; upgrade the elevator with electronic components; and purchase two new metal detectors. The grants are a 75/25 split with the county share being 25 percent. Jim will try to do as much as he possibly can which depends upon the approval of the grant. Ova made a motion, seconded by Marks to approve the grant applications and improvements as requested. Motion Carried.

Jim informed the commissioners that the Treasurer's Office purchased a new safe for the vault and they need to dispose of the old safe. The parts for the old safe are almost no longer available and it would cost more to open the safe if there was something inside of it. The Historical Society would like to have the old safe. The safe is approximately 4500 pounds and is made of magnesium. Ova made a motion, seconded by Neys to approve the Historical Society taking the old Treasurer's Safe providing that they do it in one week; otherwise, it will be taken out to West End for salvage. Motion Carried.

Dustin Bakken, Interim Tax Director, received an application for abatement or a refund of taxes for 2011 and 2012 in Ypsilanti Township, parcel number 64-0732509. Marks made a motion, seconded by Schwartz to approve the abatement as presented. Roll call vote: Marks, Schwartz, Neys, Klose, Ova voted aye.

Dustin presented an amendment for the wind turbine zoning ordinance. The language has been updated to provide maintenance and upkeep of township and county roads, what kind of timelines, as well as having financial security including a timeline of one year after the construction for companies to follow. On page five, paragraph F one change from the zoning committee did not get changed. It is supposed to read: "The agreement will contain provisions requiring the permittee to dedicate, bind, commit and/or pledge collateral, surety, escrow, and/or other pecuniary security for road maintenance and repair." Ova made a motion, seconded by Marks to approve the amendment to the Stutsman County Zoning Ordinance in relation to Wind Turbines including the change on page five, paragraph F as presented. Roll call vote: Schwartz, Neys, Klose, Ova, Marks voted aye.

Dustin reported to the commissioners that there was an omitted assessment for parcel number 62-2522022 in the amount of $10,500 for the residential land value and $30,800 for the building value. There was no change in the valuation of this property from last year. Schwartz made a motion, seconded by Neys to approve the omitted assessment for parcel number 62-2522022 as presented. Motion Carried.

Connie Ova, JSDC, requested the annual funding for SCDRC/SBDC for 2013 in the amount of $33,810.00 which is a five percent increase from the 2012 dues. It is a 63/37 percent split between the city and the county with the county's portion being $12,510.00. Discussion was held on whether or not the county should continue its membership with the South Central Dakota Regional Council (SCDRC). Neys made a motion, seconded by Schwartz to pay one fourth of the dues and reevaluate at the last meeting in March. Roll call vote: Neys, Klose, Ova, Marks, Schwartz voted aye.

Jim Diede requested the county commissioners to write a letter of support to John Thompson, NDDOT,

for additional turning lanes at the intersection of Highway 281 and Highway 36/Highway 52 at Pingree, North Dakota. Schwartz made a motion, seconded by Ova to write a letter of support for turning lanes northbound and southbound on Highway 281 at the intersection of Highway 281 and Highway 52 at Pingree, North Dakota as well as requesting a response back from the Department of Transportation. Motion Carried.

Ova made a motion, seconded by Neys to approve the request for the volume cap extension as requested. Motion Carried.

Schwartz made a motion, seconded by Marks to approve the right of way and utility certifications for the Spiritwood and Streeter grade raises. Interstate Engineering stated that there were no utilities that were affected. Motion Carried.

The right of way acquisitions were appraised by Noel Johnson. David and Bradley Klose right of way acquisitions were for parcel 3-1 for .83 acre, parcel 4-1 for 3.14 acres, and a temporary easement on parcel 4-2 for .21 acres for a total amount of $13,590.00 and Mary and Lynn Greshik were for parcel 2-1 for .82 acre and parcel 8-1 for .10 acre for the amount of $2,813.00. Neys made a motion, seconded by Marks to approve the right of way acquisitions as presented. Roll call vote: Klose, Ova, Marks, Schwartz, Neys voted aye.

Casey Bradley, Auditor/COO, presented information regarding a cell phone per diem increase. The Sheriff's Department pays for cell phones for the deputies. Some of the employees carry two cell phones. Currently, the county provides $20.00 per month stipend to the employees that use their personal cell phones. Bradley proposed increasing to $30.00 per month for voice access and $50.00 per month for internet access. It is the consensus of the board to table the cell phone per diem request for all departments until the next meeting so the commissioners can gather more information.

Jerry Bergquist, 911 Coordinator/Emergency Manager, requested approval of an employee move from regular part-time status to regular full-time status. Ova made a motion, seconded by Schwartz to approve the request as presented. Motion Carried.

Bradley received a letter requesting an increase for the mental health compensation rate from $75.00 to $90.00 per hour. Some attorneys spoke with Judge Greenwood regarding the mental health compensation rate. Judge Greenwood directed the attorney's to speak with the county. Chris Iverson, State of North Dakota, stated that other counties are offering $90 per hour. Bradley projected that the increase would be approximately $27,000 and that $30,000.00 was budgeted for 2013. Bradley spoke with Fritz and Fritz's opinion is that it should be tied to the indigent rate which is $75.00. Schwartz made a motion, seconded by Neys to approve the increase for the mental health compensation rate to $90.00 effective January 1, 2013. Roll call vote: Ova, Marks, Schwartz, Neys, Klose voted aye.

Ova made a motion, seconded by Schwartz to approve a beer application for Wayne and Hilda Kuntz d/b/a/ Sportsman Bar & Café. Motion Carried.

Schwartz made a motion, seconded by Ova to approve a beer application for Stutsman County Fair Association. Motion Carried.

Bradley followed up with the City of Jamestown and the city's position is that the Buffalo City Tourism Foundation Board will need to appoint their own board member. Marks made a motion, seconded by Ova to appoint Jason Houge and Robert Woodward to the Stutsman County Park Board. Motion Carried. Schwartz made a motion, seconded by Marks to appoint Lynne Tally to the Social Service Board. Motion Carried. Neys made a motion, seconded by Schwartz to appoint Clyde Reister, Dennis Clark, and John Schock to their current positions with Greg Spenningsby as an alternate for the Water Resource Board. Motion Carried. Stutsman County did not receive any applications for the Tuition Appeals Board. Bradley stated that he would contact Lary Olson to see if he would be on the Tuition Appeals Board.

Bradley updated the board with the response he heard back from Representative Rick Berg on the production tax credit extension. The letter thanked Stutsman County for their support of the tax credit and explained Rick Berg's involvement in the effort to extend the tax credit.

Chad Kaiser, Stutsman County Sheriff, requested an employee to receive a step increase for 2013. The policy in the employee handbook states that "An employee who is classified and assigned a grade and step in the existing Stutsman County pay plan and whose annual performance evaluation has an average overall score of three or higher will move to the next step, toward maximum." This went into effect January 1, 2006. The step increase will be effective January 1st of each year which went into effect in 2008 or 2009. The employee started August 3, 2012. Kaiser is requesting the employee receive a step increase effective August 1, 2013 pending a satisfactory annual review. Schwartz made a motion, seconded by Marks to approve the step increase request effective August 1, 2013 with a satisfactory evaluation. Motion Carried.

Commissioner Schwartz attended the Spiritwood Township meeting when the township voted to turn the GRE road over to the county. The landowners have some requests to have a noise ordinance prohibiting the exhaust brakes, some signage, and to sign the intersection to 25 mph. The road is currently 40 mph and should have no impact on any of the businesses in the area. Another request for signage prohibiting the use of exhaust brakes near the intersection 62 South was made as well. Schwartz made a motion, seconded by Marks to approve a noise ordinance and speed ordinance to 25 mph according to engineer specifications pending the right of way agreements. Motion Carried.

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

GENERAL
0061536 237.10 BAKKEN/DUSTIN;0061546 110.00 BRIAN'S SERVICE & REPAIR;0061547 299.23 BROWN & SAENGER;0061551 100.00 BUDGET AUTO;0061554 540.00 BULLBERRY SYSTEMS INC;0061566 216.82 COLE PAPERS INC;0061568 552.00 COMFORT INN;0061572 175.14 DACOTAH PAPER CO;0061578 60.06 DAN'S SOOPER STOP;0061581 2,035.00 DKK GUARDIANSHIP SERVICES INC;0061590 66.17 FARMERS UNION OIL CO-CENEX;0061596 1,098.61 GUN & REEL SPORTS INC;0061598 17.00 HOBBY TIRE;0061603 56.70 INFORMATION TECHNOLOGY DEPT;0061607 755.18 JAMESTOWN I-94 CLARK;0061609 13.93 JAMESTOWN IMPLEMENT-RD;0061610 1,958.26 JAMESTOWN SUN;0061627 704.49 MDU;0061633 15.00 ND DEPT OF TRANSPORTATION;0061634 405.00 ND NEWSPAPER ASSOCIATION;0061639 141.00 NORTHERN PLAINS ELECTRIC;0061640 150.99 NORTHERN SAFETY TECHNOLOGY INC;0061644 60.00 ONE HOUR MARTINIZING;0061646 3,253.42 OTTER TAIL POWER CO;0061647 98.79 OVA/DENNIS;0061648 237.00 PERLEBERG/TYLER;0061653 3,728.24 PRESORT PLUS;0061654 9.37 PRESS ROOM/THE;0061662 29.25 RENAISSANCE RECYCLING;0061664 35.46 RM STOUDT INC;0061667 225.00 SANDNESS LAW OFFICE; 0061668 2,030.00 SECURITY PRODUCTS CO;0061671 278.26 STOP & GO #431;0061673 808.33 STUTSMAN COUNTY TREASURER;0061674 177.43 TDS METROCOM;0061678 40.00 TRAUTMAN/RUSSELL; 0061688 65.00 VISUAL PRO 360;0061691 453.50 WEST GROUP PAYMENT CENTER
911 EMERGENCY PHONE SYSTEM
0061540 60.00 BERGQUIST/JERRY;0061563 1,199.91 CENTURYLINK;0061569 69.00 COMFORT INN; 0061573 475.00 DAKOTA CENTRAL TELECOMMUNICATIONS;0061574 219.13 DAKOTA CENTRAL TELECOMMUNICATIONS JMTN;0061585 9,178.00 ELECTRONIC COMMUNICATIONS;0061601 122,301.81 INDEPENDENT EMERGENCY SERVICES LLC;0061624 154.00 MAINSTAY SUITES;0061649 28.86 PEUSER/HOWARD;0061674 7.19 TDS METROCOM;0061685 60.00 VAN DE VELDE/SARAH
ROAD FUNDS
0061534 238.52 AMERIPRIDE SERVICES;0061543 170.41 BORDER STATES PAVING INC;0061545 6,724.00 BRAUN INTERTEC CORP;0061547 59.55 BROWN & SAENGER;0061552 140.80 BUFFALO CITY DIESEL; 0061555 54.00 BUSKNESS/GATLIN;0061556 130.49 BUTLER MACHINERY CO;0061558 93.87 CARQUEST AUTO PARTS;0061562 174.26 CENTRAL SALES;0061565 213.02 CNH CAPITAL;0061574 163.81 DAKOTA CENTRAL TELECOMMUNICATIONS JMTN;0061575 300.67 DAKOTA RENTAL CENTER LLC;0061576 7.00 DAKOTA VALLEY ELECTRIC;0061586 79.92 EQUIPMENT DIST;0061588 1,056.63 FARGO TRAILER CENTER; 0061589 1,167.00 FARMERS UNION OIL CO-CENEX;0061593 5,626.00 GRESHIK/MARY & LYNN;0061595 124.88 GRUENSTEIN/LARRY;0061598 7,036.00 HOBBY TIRE;0061599 20.33 HOME OF ECONOMY;0061602 21.08 INFINITY BUILDING SERVICES;0061609 659.41 JAMESTOWN IMPLEMENT-RD;0061610 74.88 JAMESTOWN SUN;0061613 3,400.00 JIM'S GARAGE DOOR;0061615 337.50 KLOSE/DAVE;0061616 13,590.00 KLOSE/DAVID & BRADLEY;0061622 44.30 MAC'S INC;0061625 70.00 MARG'S HANDY WORK;0061627 765.14 MDU;0061628 15.15 MEDINA CITY AUDITOR;0061629 54.42 MIDLAND DIESEL SERVICE;0061630 1,699.07 NAPA AUTO PARTS;0061638 225.56 NEWMAN SIGNS;0061641 13,691.13 NORTHWEST TIRE INC;0061643 59.71 O'REILLY AUTOMOTIVE INC;0061646 355.31 OTTER TAIL POWER CO;0061652 373.38 PRAXAIR DISTRIBUTION INC;0061656 71.84 PROBUILD;0061658 235.69 QUALITY SERVICE & REPAIR;0061664 4.94 RM STOUDT INC;0061673 41.97 STUTSMAN COUNTY TREASURER;

0061674 12.60 TDS METROCOM;0061679 352.29 TRUE NORTH STEEL;0061689 353.63 WALLWORK INC/W W;0061690 378.63 WEST END HIDE & FUR
SOCIAL SERVICES FUND TOTAL 39,823.22
COUNTY PARK
0061563 108.50 CENTURYLINK
EMERGENCY
0061651 9,893.41 PLAINVIEW TOWNSHIP #44
COUNTY CORRECTIONAL CENTER
0061538 2,833.92 BEHAVORIAL INTERVENTIONS;0061541 67.29 BOB BARKER CO;0061547 916.73 BROWN & SAENGER;0061550 122.66 BROWN/DORINDA;0061557 1,528.38 CAPITAL CITY RESTAURANT SUPPLY INC;0061560 7,696.96 CBM FOOD SERVICE;0061561 151.12 CDW GOVERNMENT INC;0061563 164.00 CENTURYLINK;0061566 341.76 COLE PAPERS INC;0061570 243.11 CREATIVE PRODUCT SOURCE INC;0061572 147.20 DACOTAH PAPER CO;0061577 248.00 DAN POLAND MACHINE INC;0061584 120.10 ECOLAB PEST ELIMINATION DIV;0061587 500.00 ESSENTIA HEALTH;0061591 177.26 GRAYBAR;0061592 52.55 GREG'S LAUNDRY EQUIP SERVICE;0061611 116.55 JARLAND/CHRISTI;0061612 445.83 JETSTREAM CAR WASH;0061622 37.15 MAC'S INC;0061626 592.00 MCDOUGALL/DR KENNETH;0061627 1,258.80 MDU;0061646 5,765.41 OTTER TAIL POWER CO;0061650 462.00 PHARMCHEM INC;0061655 328.50 PRIMARY PRODUCTS COMPANY;0061661 6,100.00 RELIAS LEARNING LLC;0061665 92.04 RM STOUDT INC; 0061674 113.63 TDS METROCOM;0061676 198.84 THOMPSON/WENDY;0061677 186.99 THRIFTY DRUG-WHITE DRUG;0061680 58.56 TRUE VALUE HARDWARE;0061681 84.00 TWO RIVERS PRINTING
WEED CONTROL
0061580 211.20 DEUTSCHER/DAVID;0061620 82.50 LEES/KIM;0061623 98.81 MAC'S INC;0061635 400.00 ND WEED CONTROL ASSOCIATION;0061646 19.61 OTTER TAIL POWER CO;0061669 70.00 SPITZER/QUENTIN;0061686 88.90 VERIZON WIRELESS
VETERANS SERVICE
0061674 6.82 TDS METROCOM
COUNTY AGENT
0061573 112.08 DAKOTA CENTRAL TELECOMMUNICATIONS;0061636 1,948.85 NDSU;0061642 376.69 NOVAK/LINDSEY;0061663 92.50 RITTENBACH/CHRISTINA;0061670 1,025.80 STAMP FULFILLMENT SERVICES;0061675 17.57 TDS METROCOM;0061682 1,669.10 US POSTMASTER
EMPLOYEES HOSPITAL INS
0061542 81.00 BODY & MIND THERAPEUTIC MASSAGE;0061683 400.00 VALENTA/RENEE
COURTHOUSE BUILDING
0061547 895.32 BROWN & SAENGER;0061549 759.98 BROWN & SAENGER;0061591 2,771.60 GRAYBAR; 0061608 7,625.00 JAMESTOWN IMPLEMENT - CP;0061657 409.67 PROBUILD
COUNTY CORRECTIONAL CENTER CONST.
0061585 19,415.00 ELECTRONIC COMMUNICATIONS;0061608 7,625.00 JAMESTOWN IMPLEMENT–CP
COUNTY HAZARDOUS CHEMICAL ACCOUNT FUND TOTAL 27.75
DATA PROCESSING
0061603 588.20 INFORMATION TECHNOLOGY DEPT;0061659 247.49 QUILL CORPORATION;0061662 15.60 RENAISSANCE RECYCLING;0061674 9.39 TDS METROCOM
CO EXTENSION FUND
0061547 19.98 BROWN & SAENGER;0061636 75.00 NDSU;0061672 27.00 STUTSMAN COUNTY AUDITOR
GRANTS
0061605 8,500.00 INSTITUTE OF LOCAL GOVT
FEMA FUNDS
0061579 1,494.21 DEER LAKE TOWNSHIP #13;0061594 4,179.57 GRIFFINTOWNSHIP #23;0061606 4,167.55 IOSCO TOWNSHIP #26;0061621 10,992.93 LIPPERT TOWNSHIP #30;0061631 389.37 ND DEPT OF EMERGENCY SERVICES

At 9:50 a.m., a motion to adjourn was made by Schwartz, seconded by Neys. Motion Carried.

ATTEST:

_____ _____

Casey Bradley
Auditor/COO

Mark T. Klose
Commission Chairman