

Official Proceedings of the Stutsman County Commission

March 16, 2010

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

Fritz Fremgen, State's Attorney, gave a preliminary opinion on the request for a 20 year Park Board lease for the Park Board's facilities at Spiritwood Lake City. The Park Board could enter into a new 20 year lease, but they could not continue with the current lease. The current lease was unreasonable and it had deficiencies.

Lindsay Larson, JSDC Marketing/Business Development Specialist, requested approval of an additional \$27,166 in Flex PACE interest buy-down for the Allen Enterprises Buffalo City Diesel Project. The Bank of ND's 65% share had been raised from \$150,000 to \$200,000 so the community share had increased proportionately. These funds would be repaid by Allen Enterprises. Kaiser made a motion seconded by Neys to approve the additional \$5,433 in County funds. Roll call vote – Ova, Marks, Kaiser, Neys and Klose voted aye.

The JSDC Board of Directors recommended changes in the ordinance passed by the City for utilizing a portion of the 1% sales tax. The JSDC recommendation was 55% of the sales taxes would be retained by JSDC for economic development, the other 45% would be dedicated to payment of the city's share of special assessments on city public works projects, and the agreement would be effective through 2012 and renewed every seven years instead of effective through June 30, 2022. Kaiser made a motion seconded by Ova to concur with the JSDC Board of Director's recommended changes. Roll call vote – Marks, Kaiser, Neys, Klose and Ova voted aye.

Steve Thompson, Interstate Engineering, reviewed a potential location for mitigation acres. The site had about 17 acres that could potentially be used for mitigation. Unless a mitigation bank was established, any acres over the 12 acres necessary for the current ER projects would be lost and not available for future projects. Establishment of a mitigation bank would take about a year for all of the paperwork to be completed by all the agencies involved in the process. The consensus was to meet with the Federal Highway Administration and begin the process to establish a mitigation bank.

A motion was made by Kaiser seconded by Marks to approve a preliminary engineering contract with Interstate Engineering for the Sydney Township Bridge so design plans could be submitted to FEMA for their approval. Roll call vote – Kaiser, Neys, Klose, Ova and Marks voted aye.

Mike Zimmerman, County Highway Superintendent, indicated that road restrictions were put on for County roads. He requested permission to advertise for an office coordinator to fill a vacancy due to an employee resignation. Ova made a motion seconded by Neys to advertise for a replacement. Motion carried.

Commissioner Marks reviewed the road funding ideas – 1% sales tax, or ½% sales tax and 20 mills, or ½% sales tax and 15 mills. Even with additional funding the Commission probably could not save all of the paved roads. Chris Wingire commented that the rural community should support additional funding, but it was basically Jamestown voters that would decide the outcome of any ballot issue. Marks made a motion seconded by Neys to place a ½% county wide sales tax and an additional 15 mills for the Matching Federal Aid mill levy on the June 8, 2010 primary election ballot. Roll call vote – Neys, Klose, Ova, Marks and Kaiser voted aye.

Kaiser made a motion seconded by Ova to transfer \$46,784.24 from the County Library Fund and \$57,000 from the Bookmobile Reserve Fund to the James River Library System (joint city-county library) per the joint library agreement. Roll call vote – Klose, Ova, Marks, Kaiser and Neys voted aye.

Jerry Bergquist, 9-1-1 Coordinator/Emergency Manager, presented the forecast of water levels at the Pipestem Dam and the Jamestown Reservoir. The range of water elevations was 1,451 to 1,455 feet at the Reservoir, and 1,484 to 1,493 feet at Pipestem. This compared to 1,454.12 at the Reservoir and 1,492.19 at Pipestem last year. The County was included in the Presidential Disaster declaration for protective measures. Ova made a motion seconded by Kaiser to modify the March 2, 2010 disaster declaration resolution projected combined water releases from 1,800 cfs to 3,200 cfs. Motion carried. The County Road Department would have sand and sand bags available for individuals to fill their own.

A motion was made by Ova seconded by Kaiser for Noel Johnson to be in charge of coordinating the County’s flood effort. Motion carried.

Ova made a motion seconded by Marks to purchase 70,000 sand bags. Roll call vote – Ova, Marks, Kaiser, Neys and Klose voted aye.

A motion was made by Kaiser seconded by Neys to approve \$335.00 in taxable meals. Roll call vote – Marks, Kaiser, Neys, Klose and Ova voted aye.

Marks made a motion seconded by Ova to pay the mid-month bills including \$16,117.90 to Winfield Township for FEMA projects reimbursement. Roll call vote – Kaiser, Neys, Klose, Ova and Marks voted aye.

| Fund | Warrant No | Amount | Vendor Name |
|---------|------------|----------|---------------------------------------|
| GENERAL | 0050582 | 70.65 | ALLTEL |
| | 0050584 | 8.00 | ARNESON INC |
| | 0050590 | 69.84 | C H CARPENTER LUMBER CO |
| | 0050596 | 9.44 | CITY OF JAMESTOWN |
| | 0050598 | 278.00 | COLE PAPERS INC |
| | 0050599 | 360.00 | CONSULTATION & PSYCHOLOGICAL SERVICES |
| | 0050602 | 844.30 | CURTIS ELECTRIC |
| | 0050607 | 116.94 | DAKOTA WHOLESALE TIRES |
| | 0050608 | 290.39 | DAN'S SOOPER STOP |
| | 0050609 | 25.38 | DAUER'S TROPHIES |
| | 0050610 | 30.00 | DICK/TIFFINEY |
| | 0050611 | 1,645.00 | DKK GUARDIANSHIP SERVICES INC |
| | 0050612 | 1,553.65 | ELECTION SYSTEMS & SOFTWARE |
| | 0050614 | 432.00 | FARM & HOME PUBLISHERS INC |
| | 0050618 | 89.61 | HAROLDSON'S A & B BUSINESS |
| | 0050619 | 45.00 | HEINRICH/GENE |
| | 0050624 | 110.00 | J & L SERVICE |
| | 0050625 | 184.70 | JAMESTOWN I-94 CLARK |
| | 0050627 | 55.00 | JAMESTOWN PLUMBING & HEATING |
| | 0050628 | 1,513.43 | JAMESTOWN SUN |
| | 0050634 | 18.89 | MAC'S INC |
| | 0050637 | 75.00 | N D RECORDERS ASSN |
| | 0050642 | 250.00 | NORTHERN SAFE SERVICE |
| | 0050645 | 14.93 | OFFICELAND |
| | 0050647 | 34.00 | ORR/KARON C |

| | | | |
|----------------------------|---------|-----------|--|
| | 0050648 | 3,058.00 | OTTER TAIL POWER CO |
| | 0050649 | 37.50 | OTTMAR & OTTMAR |
| | 0050656 | 105.00 | SANDNESS LAW OFFICE |
| | 0050658 | 735.07 | STOP & GO #431 |
| | 0050659 | 100.00 | STOREY/TRACI |
| | 0050662 | 21.00 | STUTSMAN COUNTY CORRECTIONAL CENTER |
| | 0050665 | 40.00 | TRAUTMAN/RUSSELL |
| | 0050667 | 123.29 | TRUE VALUE HARDWARE |
| | 0050668 | 59.90 | TWO RIVERS PRINTING |
| | 0050673 | 13.87 | WALMART COMMUNITY BRC |
| | | 12,417.78 | Final Total |
| 911 EMERGENCY PHONE SYSTEM | | | |
| | 0050585 | 411.81 | BERGQUIST/JERRY |
| | 0050603 | 399.00 | DAKOTA CENTRAL TELECOMMUNICATIONS |
| | 0050605 | 146.52 | DAKOTA CENTRAL TELECOMMUNICATIONS JMTN |
| | 0050636 | 5,183.80 | N D ASSOCIATION OF COUNTIES |
| | 0050655 | 1,290.95 | QWEST |
| | | 7,432.08 | Final Total |
| ROAD FUNDS | | | |
| | 0050583 | 249.26 | AMERIPRIDE LINEN & APPAREL |
| | 0050588 | 327.33 | BUFFALO CITY DIESEL |
| | 0050589 | 1,816.09 | BUTLER MACHINERY CO |
| | 0050591 | 22.01 | C H CARPENTER LUMBER CO |
| | 0050592 | 67.93 | CARQUEST AUTO PARTS |
| | 0050594 | 25.35 | CATCO PARTS & SERVICE |
| | 0050597 | 542.64 | CNH CAPITAL |
| | 0050600 | 7,249.46 | CREATIVE ENERGY |
| | 0050601 | 38.45 | CUMMINS NPOWER,LLC |
| | 0050605 | 163.59 | DAKOTA CENTRAL TELECOMMUNICATIONS JMTN |
| | 0050606 | 6.00 | DAKOTA VALLEY ELECTRIC |
| | 0050613 | 155.70 | EQUIPMENT DIST |
| | 0050615 | 186.26 | FASTENAL CO |
| | 0050616 | 346.84 | GACKLE COOP |
| | 0050617 | 160.00 | GILLE AUTO |
| | 0050621 | 112.47 | HOME OF ECONOMY |
| | 0050626 | 16.13 | JAMESTOWN IMPLEMENT |
| | 0050628 | 73.16 | JAMESTOWN SUN |
| | 0050629 | 142.00 | JOHNSTON FARGO CULVERT INC |
| | 0050630 | 240.53 | LAWSON PRODUCTS INC |
| | 0050632 | 275.00 | LINDBERG BROTHERS,INC |
| | 0050633 | 461.25 | M D U |
| | 0050635 | 789.83 | N A P A AUTO PARTS |
| | 0050643 | 957.88 | NORTHWEST TIRE INC |
| | 0050644 | 134.99 | O'REILLY AUTOMOTIVE INC. |
| | 0050645 | 20.66 | OFFICELAND |
| | 0050648 | 630.52 | OTTER TAIL POWER CO |
| | 0050650 | 3,200.00 | PERLEBERG/TOM |
| | 0050651 | 172.23 | PRAXAIR DISTRIBUTION INC |
| | 0050653 | 76.46 | QUALITY SERVICE & REPAIR |
| | 0050654 | 224.93 | QUILL CORP |
| | 0050657 | 2,640.00 | SPIRITWOOD TOWNSHIP #51 |
| | 0050660 | 1,936.64 | STREETER COOP OIL |
| | 0050666 | 36.46 | TRUE VALUE HARDWARE |
| | 0050670 | 255.47 | UNITED LABORATORIES |
| | 0050671 | 126.68 | VERIZON WIRELESS |
| | 0050672 | 1,066.90 | VINING OIL CO. |
| | 0050674 | 95.25 | WASTE MANAGEMENT OF ND |
| | 0050675 | 23.90 | WEST END HIDE & FUR |
| | 0050678 | 185.50 | WOODWORTH FARMERS ELEVATOR CO |
| | 0050679 | 1,805.25 | YPSILANTI EQUITY ELEVATOR |
| | | 27,057.00 | Final Total |

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|-------------------------------|---------|------------|-----------------------------------|
| SOCIAL SERVICES | | 739.21 | Final Total |
| COUNTY PARK | | | |
| | 0050582 | 45.96 | ALLTEL |
| | | 45.96 | Final Total |
| EMERGENCY | | | |
| | 0050580 | 2,907.24 | ALEXANDER TOWNSHIP #1 |
| | 0050663 | 316.01 | STUTSMAN COUNTY SHERIFFS OFFICE |
| | 0050676 | 15,861.94 | WINDSOR TOWNSHIP #61 |
| | 0050677 | 16,117.90 | WINFIELD TOWNSHIP #62 |
| | | 35,203.09 | Final Total |
| COUNTY CORRECTIONAL CENTER | | | |
| | 0050582 | 199.71 | ALLTEL |
| | 0050648 | 5,287.24 | OTTER TAIL POWER CO |
| | 0050655 | 391.90 | QWEST |
| | | 5,878.85 | Final Total |
| WEED CONTROL | | | |
| | 0050648 | 34.42 | OTTER TAIL POWER CO |
| | | 34.42 | Final Total |
| COUNTY AGENT | | | |
| | 0050604 | 112.08 | DAKOTA CENTRAL TELECOMMUNICATIONS |
| | 0050639 | 24,499.50 | N D S U EXTENSION SERVICE |
| | 0050645 | 5.04 | OFFICELAND |
| | 0050664 | 32.99 | TDS METROCOM |
| | | 24,649.61 | Final Total |
| COUNTY ADVERTISING | | | |
| | 0050609 | 47.39 | DAUER'S TROPHIES |
| | | 47.39 | Final Total |
| EMPLOYEES HOSPITAL INS | | | |
| | 0050587 | 252.00 | BODY & MIND THERAPEUTIC MASSAGE |
| | 0050661 | 5,000.00 | STUTSMAN COUNTY |
| | | 5,252.00 | Final Total |
| TAX REFUND | | | |
| | 0050620 | 690.15 | HOLLINGSWORTH/ALVINA |
| | 0050646 | 231.07 | OLSON/LAVAY |
| | | 921.22 | Final Total |
| LIBRARY FUND | | | |
| | 0050581 | 103,784.24 | ALFRED DICKEY LIBRARY |
| | | 103,784.24 | Final Total |
| COURTHOUSE BUILDING | | | |
| | 0050631 | 998.00 | LIFESTYLE APPLIANCE |
| | | 998.00 | Final Total |
| DOCUMENT PRESERVATION FUND | | | |
| | 0050593 | 347.00 | CASS COUNTY TREASURER |
| | 0050669 | 975.00 | UNDERGROUND VAULTS & STORAGE |
| | | 1,322.00 | Final Total |
| DATA PROCESSING | | | |
| | 0050595 | 81.76 | CDW GOVERNMENT |
| | 0050618 | 195.98 | HAROLDSON'S A & B BUSINESS |
| | 0050622 | 590.80 | INFORMATION TECHNOLOGY DEPT |
| | 0050645 | 1,898.36 | OFFICELAND |
| | | 2,766.90 | Final Total |
| ROAD AND BRIDGE BUILDING FUND | | | |
| | 0050586 | 3,627.89 | BOB'S PLUMBING & HEATING INC |
| | 0050652 | 510.44 | PRO BUILD |
| | | 4,138.33 | Final Total |
| CO EXTENSION FUND | | | |
| | 0050638 | 25.00 | N D S U AG COMMUNICATION |
| | 0050645 | 38.90 | OFFICELAND |
| | | 63.90 | Final Total |

Joe Schmitt questioned whether or not Old Highway #10 would be closed when it is recycled. The Road Department would work with the Townships and close sections of the road as needed.

Marks made a motion seconded by Kaiser to adjourn. At 9:12 a.m. the mid-month meeting of the Stutsman County Commission was adjourned.

ATTEST:

Noel A. Johnson
County COO (Auditor)

Mark T. Klose
Commission Chairman