

## Official Proceedings of the Stutsman County Commission

March 20, 2007

At 4:00 p.m. the Stutsman County Commission meeting was called to order by Chairman Klose. Roll call was answered by Douglas Kaiser, Craig Neys, Dennis Ova, Dale Marks, and Mark T. Klose.

Harold Newman, President of the Newman Group, was present to answer any questions regarding his company's request for a tax exemption on the proposed ethanol plant in Spiritwood Township. Also present was Dean Anderson and Kari Ness. Commissioner Marks questioned whether or not Mr. Newman had any ideas about revenue sources for road construction or maintenance. Mr. Newman indicated there were possibilities considering the government has recognized ethanol as a new energy source. Marks made a motion that was seconded by Kaiser to grant the following exemption - 5 years at 100%, 6<sup>th</sup> year 80%, 7<sup>th</sup> year 60%, 8<sup>th</sup> year 40%, 9<sup>th</sup> year 20% and 10<sup>th</sup> year 20%. Steve Gasal commented that he had reviewed population statistics and the area's declining population was a direct reflection on local economics. The community should aggressively promote business as a way of increasing employment. This would increase the population. New employees would enhance the local economy with increases in purchases of goods and services. The taxes generated by these purchases and taxes on the employee's homes would increase revenues for schools and government. Commissioner Klose complimented Mr. Newman for his project, but indicated that government needed money to operate and it was difficult to give such large exemptions. Commissioner Neys commented on the project application that projected \$80 million in net profits for the project's first year of operation. Gayne Gasal questioned the projected profits considering corn prices had doubled since the application was filed. Mr. Gasal commented that these high corn prices and taxes paid by Cargill and similar projects were examples of the benefits of these types of projects. Roll call vote on the motion - Ova - aye, Marks - aye, Kaiser - aye, Neys - nay, and Klose - nay. Motion carried.

Dick Christensen, Manager of Ypsilanti Equity Elevator, presented the elevator's request for a 5 year 100% tax exemption for a new elevator complex. Also present was Elevator Board Chairman, Duane Van Dyke. The new facility was planned in conjunction with the proposed ethanol plant. The facility will provide drying and storage facilities so corn would be available to the ethanol facility when needed not simply during the harvest season. Gayne Gasal commented that this was an example of a spin off from the Newman project. A motion was made by Ova and seconded by Kaiser to grant the 5 year 100% exemption. Roll call vote - Marks - abstain, Kaiser - aye, Neys - aye, Klose - aye, Ova - aye.

Darrel Wollan, Jamestown City Assessor, presented three abatement requests. Also present was Larell Peckham, PR of the T. R. Trowbridge Estate. Mr. Peckham was asking for a value reduction on parcel #74-4255100 from \$44,800 to \$20,000 for 2006 and from \$42,600 to \$20,000 for 2005. The City of Jamestown had recommended a reduction to \$25,138 for 2006 and no reduction for 2005. Mr. Peckham indicated that the house was in the same condition today as it was in 2005. Questions were raised whether or not Mr. Peckham had the right to file an abatement for 2005 because he may not have had any right, title or interest in the property until after Mr. Trowbridge had passed away. Noel Johnson, County COO, recommended concurring with the city's recommendation for 2006 and denying the 2005 application because Mr. Peckham had no interest in the property in 2005. The Commission would reconsider the 2005 application after Johnson had an opportunity to review the law concerning a personal representative's right to file abatements. Ova made a motion that was seconded by Neys to deny the 2005 abatement application on parcel #74-4255100. Roll call vote - Kaiser, Neys, Klose, Ova and Marks all voted aye.

A motion to concur with the City of Jamestown and partially approve the 2006 abatement request on parcel #74-4255100 by reducing the true and full value from \$44,800 to \$25,138 was made by Kaiser and seconded by Ova. Roll call vote - Neys, Klose, Ova, Marks and Kaiser all voted aye.

Mr. Wollan presented an abatement request on parcel #74-6346150 owned by Bernard and Mary Walicski seeking a value reduction from \$145,000 to \$142,000 for 2005 and from \$154,500 to \$151,500. The request indicated that condominiums with similar square footage within the same building were assessed at the lower value. Johnson indicated that the values had been adjusted for the current and future years. Abating values for such minor differences was holding assessments to an unachievable standard. A motion to deny the abatement requests on parcel #74-6346150 was made by Neys and seconded by Kaiser. Roll call vote - Klose, Ova, Marks, Kaiser and Neys all voted aye.

Steve Thompson, Interstate Engineering, presented a construction and maintenance agreement for County Highway 38. Also present were Mike Zimmerman, County Highway Superintendent, and Jerry Brickner, County Engineer. The agreement was necessary for projects that used federal funds. A motion was made by Kaiser and seconded by Neys to enter into the agreement. Motion carried.

Mr. Thompson requested approval of a utility relocation permit for County Highway 38. An Ottertail Power pole had to be relocated off of the right of way. The pole out dated the road so the \$3,150 relocation cost was the County's responsibility. Ova made a motion that was seconded by Neys to approve the permit. Roll call vote - Ova, Marks, Kaiser, Neys and Klose all voted aye.

Commissioner Marks presented comments about the need for the Commission to begin considering a comprehensive road plan that would include options to increase revenues. Current road funding revenues were far below statistical standards. A plan should be put together so increased revenues could be sought from the voters in 2008. He would be leading discussions about road issues at the annual township officers meeting. A plan should be formulated and presented to clubs, organizations, and the public to increase public awareness of road plans and revenue needs.

Ova made a motion that was seconded by Neys to approve the beer and liquor license application of Carmel Demaray, dba Windsor Bar. Motion carried.

A motion was made by Kaiser and seconded by Marks to transfer \$36,000 from 19-000-6999 to 69-000-5999 for the Central Valley Health District bond payment and to amend the 2007 budgets accordingly. Roll call vote - Marks, Kaiser, Neys, Klose and Ova all voted aye.

Connie Ova, CEO JSDC, presented a request by the JSDC executive board to dismiss the lawsuit with NDC Holdings (Noble Games). David Ripley had no assets. By continuing the law suit, JSDC could risk being responsible for Ripley's court costs. A motion to dismiss the NDC Holdings lawsuit without prejudice was made by Marks and seconded by Kaiser. Roll call vote - Kaiser, Neys, Klose, Ova and Marks all voted aye.

Mrs. Ova informed the Board that the City Attorney would seek an Attorney General's Opinion as to the property tax status of JSDC.

David Smette requested that the county act as fiscal agent for a ND Parks and Recreation grant to develop a 17 mile horse trail within Arrowwood National Wildlife Refuge. The funds would mark trails, install gates and develop two trail heads. There would be no cost to the county. The county would develop the account structure and handle the reimbursed funds. The Parkhurst Horse Camp

committee was coordinating the project. A motion was made by Ova and seconded by Marks to serve as fiscal agent for the grant. Roll call vote - Neys, Klose, Ova, Marks and Kaiser all voted aye.

Linda Chadduck, personnel committee, presented the contract from The Archer Company for the wage and benefit study. The State's Attorney had reviewed the contract and made the appropriate revisions. Ova made a motion that was seconded by Neys to approve the \$6,000 contract with revisions. Roll call vote - Klose, Ova, Marks, Kaiser and Neys all voted aye.

A motion was made by Kaiser and seconded by Marks to pay \$177.50 in taxable meals.

Commissioner Klose informed the Commission of the County possibly receiving and disbursing funds to assist the All Vets Club. A few years ago, the club had spent over \$80,000 renovating their leased portion of the County's Memorial Building. The construction bills were paid directly by the Club and not run through the County. Members of the County and the Club would review the plan with the Attorney General's Gaming Division.

Ova made a motion that was seconded by Marks to pay the mid-month bills. Roll call vote - Ova, Marks, Kaiser, Neys and Klose all voted aye.

Fund	Warrant No	Amount	Vendor Name
GENERAL	0038015	222.60	ALLTEL
	0038021	60.00	BOILER INSPECTION PROGRAM
	0038031	50.00	COMFORT INN
	0038037	966.44	DAN'S SOOPER STOP
	0038038	37.10	DAUER'S TROPHIES
	0038051	20.20	JAMESTOWN I-94 BP
	0038055	15.74	JOHNSON/RAYMOND
	0038059	1,799.09	KROPP LAW OFFICES
	0038061	51.00	LEXISNEXIS MATTHEW BENDER
	0038062	3,234.88	M D U
	0038063	508.14	MEDTRONIC
	0038071	167.00	NORTHERN PLAINS ELECTRIC
	0038072	250.00	NORTHERN SAFE SERVICE
	0038073	94.99	OFFICELAND
	0038074	550.00	ORR"IGINALS
	0038078	245.50	PRESS ROOM/THE
	0038084	150.00	SHEYENNE JAMES RC&D
	0038085	40.00	SINCLAIR/CHARLES
	0038086	914.11	STOP & GO #431
	0038093	423.50	THOMPSON PUBLISHING GROUP
		9,800.29	Final Total
911 EMERGENCY PHONE SYSTEM			
	0038023	55.35	BROWN/DORINDA
	0038034	146.49	DAKOTA CENTRAL TELE. JMTN
	0038035	513.00	DAKOTA CENTRAL TELECOMMUNICATIONS
	0038066	4,251.60	N D ASSOCIATION OF COUNTIES
	0038080	1,290.96	QWEST
		6,257.40	Final Total
ROAD FUNDS			
	0038016	222.47	AMERIPRIDE LINEN & APPAREL
	0038019	17,439.62	BLOOM OIL CO
	0038020	17.89	BOB'S PLUMBING & HEATING

0038022	17,871.90	BROCK WHITE COMPANY
0038024	57.41	BROWN'S ELECTRIC
0038025	476.96	BUTLER MACHINERY CO
0038026	125.82	CARQUEST AUTO PARTS
0038028	37.00	CATCO PARTS & SERVICE
0038035	161.92	DAKOTA CENTRAL TELECOMMUNICATIONS
0038036	6.00	DAKOTA VALLEY ELECTRIC
0038041	400.00	ESRI
0038043	1,185.24	FARMERS UNION OIL CO-CENEX
0038044	39.74	FASTENAL CO
0038047	155.65	HOME OF ECONOMY
0038048	222.54	HSBC BUSINESS SOLUTIONS
0038052	95.48	JAMESTOWN IMPLEMENT
0038053	200.40	JAMESTOWN SUN
0038062	2,062.02	M D U
0038064	364.02	MICHAEL TODD & COMPANY NC
0038065	387.58	N A P A AUTO PARTS
0038070	370.37	N W TIRE INC
0038076	180.57	POWER PLAN
0038077	258.46	PRAXAIR DISTRIBUTION INC
0038079	104.98	QUILL CORP
0038083	150.49	SCHULZ PLUMBING HEATING & A C
0038087	1,634.75	STREETER COOP OIL
0038090	16.26	STUTSMAN COUNTY ROAD DEPT
0038091	1,156.28	SWANSTON EQUIPMENT CO.
0038095	117.67	VERIZON WIRELESS
0038098	747.30	VINING OIL CO.
0038099	417.99	WALLWORK INC/W W
0038101	147.97	WEST END HIDE & FUR
	46,832.75	Final Total
REGIONAL CHILD SUPPORT ENFORCEMENT UNIT		
	4.80	Final Total
SOCIAL SERVICES		
	396.44	Final Total
COUNTY PARK		
0038015	32.87	ALLTEL
0038080	120.59	QWEST
0038100	366.92	WASTE MANAGEMENT OF ND
	520.38	Final Total
COUNTY CORRECTIONAL CENTER		
0038015	112.29	ALLTEL
0038021	40.00	BOILER INSPECTION PROGRAM
0038062	2,625.97	M D U
0038073	11.96	OFFICELAND
0038080	164.00	QWEST
	2,954.22	Final Total
WEED CONTROL		
0038015	43.47	ALLTEL
0038040	78.72	DEUTSCHER/DAVID
0038053	32.00	JAMESTOWN SUN
0038058	82.00	KLOSE/MARK
0038060	20.50	LEES/KIM
0038075	24.34	OTTER TAIL POWER CO
0038081	3.69	REIMERS/DALE
0038088	68.55	STUTSMAN COUNTY AUDITOR
	353.27	Final Total

EMPLOYEES HOSPITAL INS			
	0038030	35.00	CENTRAL VALLEY HEALTH
		35.00	Final Total
LIBRARY FUND			
	0038015	22.25	ALLTEL
	0038017	224.48	BAKER & TAYLOR BOOKS
	0038032	302.03	CROSSROADS REPAIR LLC
	0038035	49.95	DAKOTA CENTRAL TELECOMMUNICATIONS
	0038039	170.06	DEMCO
	0038042	189.94	FARMERS UNION OIL CO-CENEX
	0038045	50.00	GUTHMILLER/THELMA
	0038046	24.60	HEINLE/KATHRYN E
	0038054	59.22	JENSEN/AGNES
	0038056	24.60	JORGENSEN/LA RAE
	0038062	351.43	M D U
	0038067	20.00	N D LIBRARY ASSOCIATION
	0038069	638.72	N D STATE LIBRARY
	0038075	202.17	OTTER TAIL POWER CO
	0038080	74.40	QWEST
	0038094	1,000.00	TOUCH OF CLASS AUTO BODY
	0038097	20.50	VIGESAA/VERNON
	0038102	50.00	ZACHRISON/JEAN
		3,474.35	Final Total
DRUG PROGRAM			
		175.00	Final Total
DOCUMENT PRESERVATION FUND			
	0038027	462.00	CASS COUNTY TREASURER
		462.00	Final Total
DATA PROCESSING			
	0038029	331.28	CDW GOVERNMENT
	0038033	121.98	DACOTAH PAPER CO
	0038050	500.00	INFORMATION TECHNOLOGY DEPT
		953.26	Final Total
CO EXTENSION FUND			
	0038049	348.79	HUGO'S 9
	0038068	153.00	N D S U EXTENSION SERVICE
	0038082	7.49	SAHR/EUNICE
	0038089	6.75	STUTSMAN COUNTY CORRECTIONAL CENTER
		516.03	Final Total

A motion to adjourn was made by Kaiser and seconded by Ova. At 5:29 p.m. the March 20, 2007 Stutsman County Commission meeting was adjourned.

ATTEST:

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Noel A. Johnson  
County COO (Auditor)

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Mark Klose  
Commission Chairman