

Official Proceedings of the Stutsman County Commission

April 17, 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.

Lou Morehouse, Nutritional Education Assistant, FNP, Extension Office, requested renewal of the family nutrition program. The \$47,488.29 program cost was funded "in-kind". The only cost for the county was \$350 for supplies out of the County Extension Office budget. Ova made a motion that was seconded by Kaiser to approve the program for 2007 - 2008. Motion carried.

The Commission made no appointment to the Sheyenne James Resource Conservation and Development Council, Inc. Only a few sections of land in the extreme northeast corner of the County were within the water shed.

Kaiser made a motion that was seconded by Neys to approve the raffle permit application of the Individuals MC at the Sportsman Bar and the raffle permit application of the Jamestown Gymnastics Club. Motion carried.

Ova made a motion that was seconded by Marks to approve the gaming site application of the ND Buffalo Foundation at the 281 Stop, Buchanan Bar and Anchor Bar from July 1, 2007 to June 30, 2008. Motion carried.

Noel Johnson, County COO, requested permission to allow flex hours for the summer. Employees could alternate working extra hours during the week to get their time in so they could leave early on Friday. Normal business hours would be maintained. Kaiser made a motion that was seconded by Neys to allow flex hours from mid-May through mid-September. Motion carried.

A motion was made by Kaiser and seconded by Neys to change the mid-month Commission meeting time from 4 p.m. to 8 a.m. for the months May through October. Motion carried.

The Commission reviewed the conditional use permit application of Ryan Odenbach for a 500 animal unit feedlot in the NW1/4 of 21-T142N-R67W, in Paris Township about 7 miles southeast of Woodworth. All property owners within 2 miles had been notified by certified mail. No one appeared at the zoning board hearing on April 3, 2007 to protest the application. All requirements of the County Zoning Ordinance had been met. The Zoning Board had unanimously approved the application. A motion was made by Kaiser and seconded by Marks to approve the conditional use permit. Roll call vote - Ova, Marks, Kaiser, Neys and Klose all voted aye.

Gina Guthmiller, Business Development Specialist, JSDC, presented a request for \$25,000 on an 80/20 City/County split to assist with funding a ND Trade Office. The Trade Office would help companies succeed in the global marketplace and its network of 45 export service providers, international shippers, bankers and other professionals. The office would offer assistance along every step of the export process. Five local businesses have expressed interest to date. These companies would pay \$3,125 for a two-year membership. Carrington Economic Development has also consented to contribute \$5,000. Neys made a motion that was seconded by Ova to approve the funding request. Roll call vote - Marks, Kaiser, Neys, Klose and Ova all voted aye.

Kaiser made a motion that was seconded by Marks to approve \$37.50 in taxable meals. Motion carried.

Johnson presented a summary of the changes in fees charged to the townships and cities for contract assessing: Townships - Ashland \$200 to \$300; Bloom \$1,000 to \$1,100; Buchanan \$200 to \$400; Corwin \$350 to \$400; Jim River Valley \$200 to \$300; Midway \$1,000 to \$1,500; Moon Lake \$200 to \$300; Plain View \$200 to \$300; Windsor \$150 to \$300; Woodbury \$400 to \$600; Ypsilanti \$350 to \$500; Cities - Buchanan \$150 to \$300; Cleveland \$250 to \$400; Courtenay \$250 to \$300; Medina \$700 to \$800; Montpelier \$150 to \$300; Pingree \$150 to \$300; Spiritwood Lake City \$200 to \$500; Woodworth \$300 to \$400. Kaiser made a motion that was seconded by Marks to approve the assessing contracts with the fee changes. Roll call vote - Kaiser, Neys, Klose, Ova and Marks all voted aye.

A motion was made by Kaiser and seconded by Ova to approve the mid-month bills including the additional bills of: \$5.00 from 10-116-6492 to ND DOT for Title Transfer; \$15,037.00 from 10-116-6700 to R.M. Stoudt for Sheriff's Vehicle; Buffalo Valley Red Cross \$2371.20 from 63-609-6265; Buffalo Valley Red Cross \$3500.00 from 63-555-6265; and Jamestown Hospital \$1924.20 from 63-556-6265. Roll call vote - Neys, Klose, Ova, Marks and Kaiser all voted aye.

Fund	Warrant No	Amount	Vendor Name
GENERAL			
	0038333	24.50	ALLTEL
	0038345	201.53	CALUMET PHOTOGRAPHIC
	0038349	348.45	CENTRAL BUSINESS SYSTEMS, INC
	0038350	160.50	CHADDUCK/LINDA
	0038353	237.00	COOPERSTOWN FUNERAL CHAPEL
	0038359	1,202.74	DAN'S SOOPER STOP
	0038361	10.00	DIEDE/DALE I
	0038369	119.50	GODEL/ERIC
	0038373	62.50	HESS/KEITH
	0038377	5.00	INTERSTATE ENGINEERING
	0038379	34.00	JAMESTOWN COMMUNICATIONS INC
	0038380	110.00	JAMESTOWN HOSPITAL
	0038382	251.27	JAMESTOWN I-94 BP
	0038383	2,648.70	JAMESTOWN SUN
	0038387	37.50	JOHNSON/NOEL
	0038390	92.66	KAISER/NORMA
	0038396	1,915.44	M D U
	0038399	62.50	MAYER/JEROME P
	0038400	6,614.03	MERRICK & SCHAAR P.C.
	0038401	72.00	MIDWEST MANAGEMENT
	0038404	100.00	N D A A O
	0038406	10.00	N D DEPT OF TRANSPORTATION
	0038413	156.00	NORTHERN PLAINS ELECTRIC
	0038416	190.72	OFFICELAND
	0038419	2,811.27	OTTER TAIL POWER CO
	0038421	389.78	PENNEYS/J C
	0038425	69.99	RADIOSHACK
	0038429	877.49	SCHERR/JODIE KOCH
	0038431	40.00	SINCLAIR/CHARLES
	0038433	42.24	STOUDT INC/R M
	0038434	15,037.00	STOUDT/R M
	0038438	700.00	TDK GUARDIANSHIP SERVICES INC
	0038442	31.30	TWO RIVERS PRINTING
	0038443	195.00	U S POSTMASTER

	0038445	59.99	UNIFORM CENTER
	0038446	1,500.00	UNITED STATES POSTAL SERVICE
		36,420.60	Final Total
RESTORATIVE JUSTICE FUND			
		72.00	Final Total
911 EMERGENCY PHONE SYSTEM			
	0038356	146.49	DAKOTA CENTRAL TELE. JMTN
	0038357	675.00	DAKOTA CENTRAL TELECOMMUNICATIONS
	0038379	106.00	JAMESTOWN COMMUNICATIONS INC
	0038405	4,257.08	N D ASSOCIATION OF COUNTIES
	0038424	1,291.48	QWEST
		6,476.05	Final Total
ROAD FUNDS			
	0038335	223.37	AMERIPRIDE LINEN & APPAREL
	0038340	164.90	BLOOM OIL CO
	0038341	124.76	BROWN'S ELECTRIC
	0038343	1,078.62	BUTLER MACHINERY CO
	0038344	585.10	C H CARPENTER LUMBER
	0038346	290.83	CARQUEST AUTO PARTS
	0038348	75.22	CENTRAL BUSINESS SYSTEMS, INC
	0038351	26.83	CNH CAPITAL
	0038357	161.92	DAKOTA CENTRAL TELECOMMUNICATIONS
	0038358	6.00	DAKOTA VALLEY ELECTRIC
	0038364	505.00	ENGDAHL'S TRUCK REPAIR
	0038366	142.80	FARMERS UNION OIL CO-CENEX
	0038367	35.43	FASTENAL CO
	0038374	206.63	HOME OF ECONOMY
	0038383	198.40	JAMESTOWN SUN
	0038386	226.60	JERRY'S ELECTRICAL REPAIR
	0038394	398.79	LITTLE FALLS MACHINE INC
	0038395	19,450.00	LYCOX ENTERPRISES INC
	0038396	1,241.67	M D U
	0038397	89.07	MAC'S INC
	0038398	50.00	MARGIE HANDY WORK
	0038403	630.62	N A P A AUTO PARTS
	0038410	6,144.48	N W TIRE INC
	0038412	540.20	NEWMAN SIGNS
	0038413	35.00	NORTHERN PLAINS ELECTRIC
	0038414	10.78	O'NEILL REPAIR
	0038415	28.67	O'REILLY AUTO PARTS
	0038419	740.29	OTTER TAIL POWER CO
	0038422	185.69	POWER PLAN
	0038423	382.60	PRAXAIR DISTRIBUTION INC
	0038428	208.65	SCHERBENSKE & SONS
	0038430	42.00	SCOTT'S EXHAUST SHOP
	0038435	813.25	STREETER COOP OIL
	0038436	224.00	STUTSMAN COUNTY GLASS
	0038437	48.60	STUTSMAN COUNTY ROAD DEPT
	0038439	190.52	TITAN MACHINERY
	0038441	119.00	TRAUT WELLS
	0038447	119.11	VERIZON WIRELESS
	0038450	88.28	VINING OIL CO.
	0038451	98.91	WALLWORK INC/W W
	0038452	39.12	WASTE MANAGEMENT OF ND
	0038453	478.95	WEST END HIDE & FUR
	0038455	1,887.00	YPSILANTI EQUITY ELEVATOR

	38,337.66	Final Total
UNORGANIZED TOWNSHIP ROADS		
	0038437 5,897.50	STUTSMAN COUNTY ROAD DEPT
	0038454 250.00	WOODWORTH FIRE DEPT
	6,147.50	Final Total
REGIONAL CHILD SUPPORT ENFORCEMENT UNIT		
	576.80	Final Total
SOCIAL SERVICES		
	71.01	Final Total
COUNTY PARK		
	0038333 33.09	ALLTEL
	0038413 428.00	NORTHERN PLAINS ELECTRIC
	0038424 119.08	QWEST
	580.17	Final Total
COUNTY CORRECTIONAL CENTER		
	0038348 93.00	CENTRAL BUSINESS SYSTEMS, INC
	0038396 1,562.46	M D U
	0038409 8.48	N D STATE TAX COMMISSIONER
	0038419 4,920.42	OTTER TAIL POWER CO
	0038424 414.92	QWEST
	0038432 105.60	STOREY/TRACI
	7,104.88	Final Total
VETERANS SERVICE		
	0038348 285.89	CENTRAL BUSINESS SYSTEMS, INC
	285.89	Final Total
COUNTY AGENT		
	0038362 150.00	DOUBLEWOOD INN
	0038418 294.38	OLSON/THOMAS
	0038426 95.02	SAHR/EUNICE
	539.40	Final Total
TAX REFUND		
	0038440 849.84	TR TROWBRIDGE ESTATE
	849.84	Final Total
LIBRARY FUND		
	0038332 221.18	ABD PUBLICATIONS
	0038333 22.40	ALLTEL
	0038337 1,022.99	BAKER & TAYLOR BOOKS
	0038347 35.94	CENTER POINT LARGE PRINT
	0038348 38.70	CENTRAL BUSINESS SYSTEMS, INC
	0038357 49.95	DAKOTA CENTRAL TELECOMMUNICATIONS
	0038360 80.87	DEMCO
	0038363 45.00	ECOLAB PEST ELIMINATION DIV
	0038368 427.92	GALE GROUP/THE
	0038370 140.20	GUTHMILLER/THELMA
	0038383 101.20	JAMESTOWN SUN
	0038385 10.55	JENSEN/AGNES
	0038388 24.60	JORGENSEN/LA RAE
	0038389 810.00	JUNIOR LIBRARY GUILD
	0038391 66.00	KAPPEL/JAMES
	0038396 134.65	M D U
	0038419 183.10	OTTER TAIL POWER CO
	0038449 20.50	VIGESAA/VERNON
	0038456 50.00	ZACHRISON/JEAN
	3,485.75	Final Total
DATA PROCESSING		
	0038334 166.15	AMERICAN COMMUNICATIONS INC

	0038352	1,904.76	COMPUTER PROFESSIONAL, ULTD, INC
	0038354	92.90	DACOTAH PAPER CO
	0038365	400.00	ESRI
	0038371	1,631.93	HAROLDSON'S OFFICE SUPPLY
	0038376	501.00	INFORMATION TECHNOLOGY DEPT
		4,696.74	Final Total
CO EXTENSION FUND			
	0038336	75.00	ANDERSON/DONNA
	0038339	75.00	BENGOCHEA/WENDY
	0038355	100.00	DAGMAN/VIRGIL
	0038372	100.00	HATLEWICK/DEBRA
	0038375	27.97	HUGO'S 9
	0038378	300.00	JAMES VALLEY CAREER & TECHNOLOGY CENTER
	0038393	100.00	LARSON/BARB
	0038402	50.00	MOSER/SCOTT
	0038408	50.00	N D S U
	0038417	300.00	OFFICELAND
	0038420	50.00	PATZER/DAVID
	0038427	100.00	SCHAUNAMAN/CRYSTAL
	0038444	26.16	U S POSTMASTER
		1,354.13	Final Total
GRANTS			
	0038342	5,871.20	BUFFALO VALLEY RED CROSS
	0038381	1,924.20	JAMESTOWN HOSPITAL
		7,795.40	Final Total
WEED BOARD GRANT			
	0038416	115.53	OFFICELAND
		115.53	Final Total
GAME & FISH			
	0038407	9,644.00	N D GAME & FISH DEPT
		9,644.00	Final Total
JOB INCENTIVE FUND			
	0038384	7,504.60	JAMESTOWN/STUTSMAN DEVELOPMENT CORP
		7,504.60	Final Total

Fritz Fremgen, State's Attorney, reviewed the status of the damages to County Highway 68 north of Medina. About ½ mile of road had been damaged by Don Hofmann in 2005. The estimated cost of the repairs was about \$12,000. Kaiser made a motion that was seconded by Neys to authorize the State's Attorney to make a settlement offer to Mr. Hofmann and Grinnell Mutual Reinsurance Co., whereby each agrees to release all their claims against the County and or its officials and the County releases all its claims against Mr. Hofmann, his heirs or assigns and Grinnell Mutual Reinsurance, and Don Hofmann and/or Grinnell Mutual Reinsurance pays the County \$12,000 for the damages to Highway 68. Roll call vote - Klose, Ova, Marks, Kaiser and Neys all voted aye.

A motion was made by Kaiser and seconded by Neys to give the Board's authorization to the State's Attorney to file a civil law suit against Don Hofmann, Brent Kleven, and/or any other parties necessary to pursue damages, costs, and the like for the June 2005 road damage incident on Highway 68 north of Medina. Roll call vote - Ova, Marks, Kaiser, Neys and Klose all voted aye.

Johnson informed the Commission that Cargill Malt had sought a 20% value reduction in their assessment at the Spiritwood Township Equalization meeting. The Township Board denied the value reduction request. Johnson gave a history of the assessment on the property. Since the settlement of the disagreements with the initial assessment of the property, historical costs had been

reported for improvements. The percentage of real versus exempt personal property established by the ND Supreme Court had been applied to the reported cost of the improvements to establish a current value for assessment purposes. Cargill had engaged an appraiser to estimate its current value. The appraiser's estimate of value was about \$33,000,000 - this was about 20% lower than the current assessment of \$41,000,000. Johnson anticipated that Cargill would appeal to the County Board of Equalization in June. The Commission authorized Johnson to request the school district and the township to assist in the cost of obtaining an appraisal expert to review the Cargill appraisal and assist with establishing a fair assessment on the property.

A motion to adjourn was made by Marks and seconded by Ova. At 4:58 p.m. the April 17, 2007 Stutsman County Commission meeting was adjourned.

ATTEST:

Noel A. Johnson
County COO (Auditor)

Mark Klose
Commission Chairman