

Official Proceedings of the Stutsman County Commission

May 5, 2009

At 4:00 p.m., Chairman Klose called the regular meeting of the Stutsman County Commission to order. Dennis Ova, Dale Marks, Craig Neys, Doug Kaiser and Mark T. Klose answered roll call.

Robin Iszler, Central Valley Health District Administrator, reported on the Emergency Operations call center that her agency had staffed. Approximately 1,000 calls had been received for flood related issues. Plans were to ask for temporary employees to help staff the center, but that was no longer needed. She presented the District's annual report. In 2008, the Agency celebrated its 35th year. They had completed a lead study to help determine the affect of lead bullets used for hunting deer. More remodeling was completed in 2008 so the entire building was now finished and space was rented to 2 Workforce Safety employees. The 2008 total budget was \$1.7 million, about 34% of the revenues were property tax dollars from Stutsman and Logan Counties, about 50% were state and federal funds, and the remaining funds were fees and program funds.

Fritz Fremgen, State's Attorney, presented his monthly report. The next meeting for the County Zoning Board would be on May 21st at 3 p.m. to finalize the wind turbine ordinance. There would be a subsequent public hearing on the modifications that were made to the original draft ordinance.

Mike Zimmerman, County Highway Superintendent, indicated that he and Steve Thompson, Interstate Engineering, had inspected the County roads and estimated a cost of \$4 million to repair the damaged roads. An application would be submitted to ND DOT for Emergency Relief (ER) funds. If approved for ER funding, the DOT would provide 80% funding for the repairs. At least 3 bridges would have to be inspected for possible repair. Interstate could do the inspections or the State could possibly do the inspections cost free.

Zimmerman presented four construction engineering contracts for paving the grade raises on County Road 67 south of Cleveland and north of Gackle; and for the two chip seal projects on County Road 42. The contract for the paving on the Cleveland road had been awarded. The Commission was reluctant to proceed with the paving as there was high water on both grade raises. Delaying the paving would be discussed with DOT at the May 15th bid letting. Ova made a motion that was seconded by Neys to contract with Interstate Engineering for the construction engineering for the chip seal projects STM-SC-4718(058) & (059) at a total cost of \$23,618. Roll call vote – Ova, Marks, Kaiser, Neys and Klose voted aye.

Zimmerman reported on the upcoming FEMA applicant agent meeting. He requested the Commission also attend so they had the benefit of hearing from FEMA that they would not participate in fixing many roads. A hydrological study was needed for the large watersheds to resize culverts. Costs could run as high a \$5,000 per study site. The Water Board would be asked to participate in a discussion about a possible study with the Commission. David Stuflick, FEMA Intergovernmental Affairs Officer, indicated that mitigation funds would be available on a State-wide basis. The funding was competitive so only the most worthy projects would qualify for funding. Some of these funds could possibly be used for culverts and other permanent preventative measures.

Commissioner Klose voiced concerns over patching of the paved roads. Continually patching roads was becoming cost prohibitive, and all the potholes were a safety concern. Possibly milling some of the areas would be more cost effective and create a safer road surface. Kaiser made a motion that was seconded by Ova for the Road Department to prepare generic bid specifications to solicit bids for milling areas of paved roads. Motion carried.

Wayne Kleven requested that the Commission consider raising the grade on old Highway #10 west of Medina. The road has been under water for several years and last summer some of the road bed was above the water line. FEMA would be asked to look at the road for possible funding.

Jerry Bergquist, 9-1-1 Coordinator/Emergency Manager, reported that current releases from the Jamestown Reservoir was 1,800 cfs and 1,400 cfs from the Pipestem Dam. Plans were to have combined releases of 4,000 cfs, but the City's sanitary sewer system could not handle the higher releases. Plans were to continue the 3,200 combined releases until the end of May. The dikes would likely be needed until the end of July. There were 124 members of the National Guard assisting the City with patrolling the dikes.

Noel Johnson, County COO, presented a list of Townships that were seeking loans to assist with fixing flood damaged roads. To date, fifteen Townships had requested assistance – the loan requests ranged from \$10,000 to \$75,000. There were concerns about the Township's ability to repay the loans and whether or not many of their roads would qualify for FEMA assistance. Dean Schmuhl, Lenton Township, indicated that their request would help fix only two areas where the culverts were washed out. At one time, some their culverts were bridges that were the responsibility of the County. Marks

made a motion that was seconded by Kaiser to provide township loans from the General Fund Sub-account for FEMA qualified projects and to provide up to \$250,000 from the General Fund Sub-account for loans not to exceed \$10,000 per Township for non-FEMA qualified projects – the maximum term of the loan would be 10 years at 5% annual interest with the stipulation that the Townships were at or made an attempt to be at their maximum mill levy. Roll call vote – Marks, Kaiser, Neys, Klose and Ova voted aye.

Ova made a motion that was seconded by Neys to approve the beer, liquor and Sunday alcoholic beverage license applications of Ronald Davis d/b/a Cuz'n Ron's Saloon. Motion carried.

Daren Peterka, Interstate Engineering, requested a letter from the County to assist the Jamestown Hospital with compliance with local, state and federal regulations for their loan application. Kaiser made a motion that was seconded by Marks to authorize Chairman Klose to sign a letter that indicated the development of the proposed hospital was consistent with planned development within Stutsman County. Motion carried.

Dave Orr, County Sheriff, requested permission to fill the vacancy within his office when Jerry Mayer retired effective June 1st. Kaiser made a motion that was seconded by Marks to authorize the Sheriff to fill the full time position. Motion carried.

At 5:37 p.m. the Commission meeting was recessed.

At 5:46 p.m. the County Commission meeting was called back to order.

A motion was made by Marks and seconded by Kaiser to hire Interstate Engineering to inspect the bridges impacted by the flooding if ND DOT cannot do the inspections at no cost. Motion carried.

Ova made a motion to approve the minutes of the April meetings. Marks seconded the motion. Motion carried.

At 5:47 p.m. the County Commission meeting was recessed for the County Park Board meeting.

Stutsman County Park Board Meeting

May 5, 2009

At 5:47 p.m. Chairman Klose called the Stutsman County Park Board meeting to order. Park Board members present were Bob Woodward, Mark Schlecht, Dennis Ova, Dale Marks, Doug Kaiser, Craig Neys and Mark T. Klose.

Woodward made a motion to approve the minutes from the April meeting. Schlecht seconded the motion. Motion carried.

A motion was made by Neys and seconded by Woodward to approve the payment of the monthly bills. Roll call vote: Schlecht, Woodward, Ova, Marks, Kaiser, Neys and Klose voted aye.

| Fund | Warrant No | Amount | Vendor Name |
|-------------|------------|----------|--------------------------|
| COUNTY PARK | | | |
| | 0047068 | 634.04 | CENTRAL SALES |
| | 0047090 | 464.65 | FASTENAL CO |
| | 0047094 | 12.80 | GERDAU AMERISTEEL |
| | 0047113 | 122.74 | JAMESTOWN IMPLEMENT |
| | 0047117 | 5,085.71 | JOB SERVICE NORTH DAKOTA |
| | 0047126 | 17.53 | LORENZ/DONALD |
| | 0047133 | 61.61 | N A P A AUTO PARTS |
| | 0047146 | 164.45 | NORTHWEST TIRE INC |
| | 0047164 | 50.40 | QWEST |
| | 0047183 | 29.40 | STUTSMAN COUNTY AUDITOR |
| | | 6,643.33 | Final Total |

Woodward reported on the problem with dogs running at large at the Reservoir. The Auditor's office would send a letter to all cabin owners reminding them that dogs running at large, was a violation of their permit and to remind them of the possible consequences for noncompliance.

Dennis Lorenz, County Park Superintendent, gave his monthly report. Boat dock permits would not be issued on the Reservoir until conditions allow and the monthly fees would be prorated for the remaining months. Boating restrictions on the Pipestem Dam and Jamestown Reservoir would continue until the high water around the cabins subsides and until access and parking were available. The floating debris on the water was a safety concern. The Board would continue to work with the ND

Game & Fish to monitor the situation. When boating is allowed, no wake zones around the cabins may be required.

The Parkhurst floating debris would be kept on the shoreline and removed when conditions permit. The large shelter roofs would be down sized. Pelican Point camping area was almost all under water. The wet conditions would continue until late summer. The Marina campground would be opened soon. Lorenz would be attending the FEMA meeting for information on possible financial assistance to repair infrastructure damaged by the flood.

A motion to adjourn was made by Neys and seconded by Schlecht. At 6:12 p.m. the May 2009 County Park Board meeting was adjourned.

At 6:13 p.m. the regular Commission meeting was called back to order with all Commissioners present.

Nellie Degen requested that the Commission meet with representatives of the National Flood Insurance program and to reconsider participation in the program. A special Commission meeting would be scheduled.

Kaiser made a motion that was seconded by Ova to approve payment of the monthly bills. Roll call vote: Kaiser, Neys, Klose, Ova and Marks voted aye.

| Fund | Warrant No | Amount | Vendor Name |
|----------------------------|------------|-----------|-------------------------------|
| GENERAL | 0047064 | 283.90 | CENEX CREDIT CARD |
| | 0047067 | 231.00 | CENTRAL DAKOTA MECH INC |
| | 0047069 | 390.86 | CITY OF JAMESTOWN |
| | 0047082 | 274.50 | DICK/TIFFINEY |
| | 0047083 | 1,645.00 | DKK GUARDIANSHIP SERVICES INC |
| | 0047095 | 34.00 | HANSON TIRE SERVICE |
| | 0047096 | 83.97 | HAROLDSON'S OFFICE SUPPLY |
| | 0047100 | 47.12 | HESS/KEITH |
| | 0047102 | 58.94 | HOME OF ECONOMY |
| | 0047108 | 115.50 | J & L SERVICE |
| | 0047110 | 1,250.00 | JAMESTOWN AMBULANCE |
| | 0047123 | 592.50 | KROPP LAW OFFICES PC |
| | 0047124 | 47.25 | LINDSAY SOFT WATER |
| | 0047130 | 790.00 | MEDINA AMBULANCE SERVICE |
| | 0047131 | 72.00 | MIDWEST MANAGEMENT |
| | 0047132 | 13.95 | MORRIS/RITA R |
| | 0047135 | 75.00 | N D ASSOCIATION OF COUNTIES |
| | 0047148 | 444.20 | OFFICELAND |
| | 0047150 | 172.62 | ONE-HOUR MARTINIZING |
| | 0047152 | 9.90 | ORR/KARON C |
| | 0047154 | 93.75 | OTTMAR & OTTMAR |
| | 0047163 | 106.20 | QUILL CORPORATION |
| | 0047164 | 747.33 | QWEST |
| | 0047178 | 232.57 | SPRINT |
| | 0047181 | 162.00 | STOREY/TRACI |
| | 0047182 | 629.07 | STOUDT INC/R M |
| | 0047188 | 40.50 | THOMPSON/JAN |
| | 0047191 | 60.96 | TRACTOR SUPPLY CREDIT PLAN |
| | 0047199 | 218.00 | U S POSTMASTER |
| | 0047201 | 1,500.00 | UNITED STATES POSTAL SERVICE |
| | 0047202 | 429.74 | VISA |
| | 0047211 | 432.00 | WEST GROUP PAYMENT CENTER |
| | | 11,284.33 | Final Total |
| 911 EMERGENCY PHONE SYSTEM | 0047046 | 3,666.00 | AVTEX INCORPORATED |
| | | 3,666.00 | Final Total |
| ROAD FUNDS | 0047044 | 113.52 | AMERIPRIDE LINEN & APPAREL |
| | 0047057 | 423.88 | BUTLER MACHINERY CO |
| | 0047058 | 416.00 | C & R RADIATOR |
| | 0047062 | 422.82 | CARQUEST AUTO PARTS |
| | 0047069 | 10.45 | CITY OF JAMESTOWN |
| | 0047070 | 309.41 | CNH CAPITAL |
| | 0047089 | 1,846.54 | FARMERS UNION OIL CO-CENEX |
| | 0047090 | 165.53 | FASTENAL CO |
| | 0047102 | 333.59 | HOME OF ECONOMY |
| | 0047111 | 41,932.80 | JAMESTOWN COMMUNICATIONS INC |
| | 0047117 | 27,170.39 | JOB SERVICE NORTH DAKOTA |
| | 0047125 | 100.66 | LITTLE FALLS MACHINE INC |
| | 0047129 | 60.00 | MARGIE HANDY WORK |
| | 0047134 | 600.48 | N A P A AUTO PARTS |
| | 0047140 | 140.00 | N D SURPLUS PROPERTY |
| | 0047141 | 1,243.15 | N W TIRE INC |
| | 0047162 | 148.40 | QUALITY SERVICE & REPAIR |
| | 0047184 | 1,145.53 | STUTSMAN COUNTY GLASS |
| | 0047185 | 1,010.04 | SWANSTON EQUIPMENT CO |

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|----------------------------|---------|-----------|-------------------------------------|
| | 0047190 | 423.56 | TRACTOR SUPPLY CREDIT PLAN |
| | 0047194 | 260.64 | TRUDELL |
| | 0047195 | 83.68 | TRUE VALUE HARDWARE |
| | 0047207 | 1,198.05 | WALMART COMMUNITY BRC |
| | 0047208 | 101.82 | WASTE MANAGEMENT OF ND |
| | 0047210 | 31.20 | WEST END HIDE & FUR |
| | | 79,692.14 | Final Total |
| SOCIAL SERVICES | | | |
| | | 33,938.04 | Final Total |
| EMERGENCY | | | |
| | 0047045 | 92.00 | ARNESON INC |
| | 0047094 | 136.26 | GERDAU AMERISTEEL |
| | 0047107 | 3,380.70 | INTERSTATE ENGINEERING |
| | 0047116 | 159.89 | JETSTREAM CAR WASH |
| | 0047120 | 112.50 | KLOSE/MARK |
| | 0047122 | 8,015.00 | KREBSBACH BACKHOE SERVICE |
| | 0047127 | 206.34 | MAC'S INC |
| | 0047145 | 18,096.90 | NEWMAN SIGNS |
| | 0047148 | 250.81 | OFFICELAND |
| | 0047190 | 231.75 | TRACTOR SUPPLY CREDIT PLAN |
| | 0047196 | 2.58 | TRUE VALUE HARDWARE |
| | 0047207 | 336.36 | WALMART COMMUNITY BRC |
| | 0047210 | 876.40 | WEST END HIDE & FUR |
| | | 31,897.49 | Final Total |
| COUNTY CORRECTIONAL CENTER | | | |
| | 0047042 | 106.90 | A & B BUSINESS INC |
| | 0047049 | 558.25 | BOB BARKER CO |
| | 0047061 | 244.35 | CAPITAL CITY RESTRAUNANT SUPPLY INC |
| | 0047066 | 195.66 | CENTRAL BUSINESS SYSTEMS, INC |
| | 0047067 | 97.50 | CENTRAL DAKOTA MECH INC |
| | 0047069 | 996.95 | CITY OF JAMESTOWN |
| | 0047071 | 646.65 | COLE PAPERS INC |
| | 0047073 | 43.08 | COUNTY MARKET |
| | 0047077 | 2,476.50 | DACOTAH PAPER CO |
| | 0047079 | 125.00 | DAN POLAND MACHINE INC |
| | 0047081 | 1,740.17 | DEAN FOODS NC, INC |
| | 0047088 | 457.38 | FARMER BROTHERS COFFEE |
| | 0047092 | 180.00 | FRIEZE/LARAE |
| | 0047103 | 19.93 | HOME OF ECONOMY |
| | 0047105 | 500.00 | INNOVIS HEALTH |
| | 0047106 | 96.00 | INSURE FORWARD |
| | 0047108 | 33.00 | J & L SERVICE |
| | 0047112 | 1,236.60 | JAMESTOWN HOSPITAL |
| | 0047116 | 589.28 | JETSTREAM CAR WASH |
| | 0047118 | 315.00 | KAISER/AMBER |
| | 0047139 | 1,494.00 | N D STATE RADIO COMMUNICATIONS |
| | 0047148 | 250.31 | OFFICELAND |
| | 0047153 | 335.00 | OTIS ELEVATOR COMPANY |
| | 0047155 | 553.46 | PAN-O-GOLD BAKING CO |
| | 0047161 | 57.00 | PRETZER/BECKY |
| | 0047164 | 111.29 | QWEST |
| | 0047167 | 262.50 | REDWOOD BIOTECH INC |
| | 0047168 | 45.00 | REDWOOD TOXICOLOGY LABORATORY,INC |
| | 0047176 | 192.45 | SCOTT'S ELECTRIC LLC |
| | 0047177 | 606.26 | SMAAGE/JOSH |
| | 0047180 | 389.82 | STEIN'S, INC |
| | 0047187 | 5,680.02 | SYSCO FOOD SERVICES OF ND |
| | 0047189 | 1,350.24 | THRIFTY DRUG-WHITE DRUG |
| | 0047192 | 90.00 | TRAPP/TRACEY A |
| | 0047196 | 35.69 | TRUE VALUE HARDWARE |
| | 0047197 | 244.25 | TWO RIVERS PRINTING |
| | 0047198 | 3,323.46 | U S FOOD SERVICE INC |
| | 0047202 | 38.00 | VISA |
| | 0047206 | 25.53 | WALMART COMMUNITY BRC |
| | 0047209 | 132.93 | WENZEL'S LOCK & KEY |
| | 0047211 | 71.00 | WEST GROUP PAYMENT CENTER |
| | | 25,946.41 | Final Total |
| WEED CONTROL | | | |
| | 0047164 | 7.95 | QWEST |
| | 0047183 | .42 | STUTSMAN COUNTY AUDITOR |
| | | 8.37 | Final Total |
| VETERANS SERVICE | | | |
| | 0047164 | 15.90 | QWEST |
| | | 15.90 | Final Total |
| COUNTY AGENT | | | |
| | 0047065 | 30.00 | CENTER FOR 4-H YOUTH DEVELOPMENT |
| | 0047097 | 170.23 | HATLEWICK/DEBRA |
| | 0047148 | 49.99 | OFFICELAND |
| | 0047160 | 25.00 | POLK COUNTY PUBLIC HEALTH |
| | 0047172 | 23.28 | SAHR/EUNICE |
| | 0047179 | 125.00 | STEELE/TERESA |
| | | 423.50 | Final Total |
| EMPLOYEES HOSPITAL INS | | | |

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|-----------------------------------|-----------|------------|---|
| | 0047138 | 73,246.88 | N D P E R S |
| | | 73,246.88 | Final Total |
| TAX REFUND | | | |
| | 0047054 | 656.04 | BUETOW/ALLEEN |
| | | 656.04 | Final Total |
| LIBRARY FUND | | | |
| | 0047202 | 230.86 | VISA |
| | | 230.86 | Final Total |
| COMMISSARY | | | |
| | 0047060 | 47.31 | CABLE SERVICES |
| | 0047075 | 73.20 | CRAWFORD SUPPLY CO |
| | 0047080 | 103.16 | DCR DISTRIBUTORS |
| | 0047081 | 94.72 | DEAN FOODS NC, INC |
| | 0047093 | 316.46 | FRITO LAY |
| | 0047119 | 144.60 | KEEFE COFFE & SUPPLY |
| | 0047157 | 870.22 | PEPSIAMERICAS |
| | 0047159 | 204.50 | PIZZA CORNER FROZEN PIZZA |
| | 0047170 | 2,000.00 | RELIANCE INMATE SYSTEMS INC |
| | 0047206 | 134.96 | WALMART COMMUNITY BRC |
| | | 3,989.13 | Final Total |
| DRUG PROGRAM | | | |
| | | 39.75 | Final Total |
| COURTHOUSE BUILDING | | | |
| | 0047043 | 105.00 | AIPPERSPACH/BRAD |
| | 0047053 | 400.15 | BROWN & SAENGER |
| | | 505.15 | Final Total |
| COUNTY CORRECTIONAL CENTER CONST. | | | |
| | 0047071 | 993.77 | COLE PAPERS INC |
| | | 993.77 | Final Total |
| DOCUMENT PRESERVATION FUND | | | |
| | 0047063 | 446.00 | CASS COUNTY TREASURER |
| | | 446.00 | Final Total |
| DATA PROCESSING | | | |
| | 0047072 | 2,432.58 | COMPUTER PROFESSIONAL, ULTD, INC |
| | 0047074 | 535.98 | CPS TECHNOLOGY SOLUTIONS |
| | 0047077 | 105.80 | DACOTAH PAPER CO |
| | 0047164 | 15.90 | QWEST |
| | 0047204 | 60.00 | WALMART COMMUNITY BRC |
| | | 3,150.26 | Final Total |
| CO EXTENSION FUND | | | |
| | 0047047 | 45.00 | BECKER/WENDY |
| | 0047052 | 8.98 | BROWER/LANCE |
| | 0047078 | 100.00 | DAGMAN/VIRGIL |
| | 0047091 | 50.00 | FLORHAUG/NADINE |
| | 0047097 | 30.00 | HATLEWICK/DEBRA |
| | 0047101 | 50.00 | HOCHHALTER/KAREY |
| | 0047109 | 300.00 | JAMES VALLEY CAREER & TECHNOLOGY CENTER |
| | 0047115 | 50.00 | JARRETT/RITA |
| | 0047148 | 108.00 | OFFICELAND |
| | 0047156 | 60.00 | PATZER/DAVID |
| | 0047158 | 100.00 | PETERSON/PENNY |
| | 0047169 | 50.00 | REICH/REBECCA |
| | 0047171 | 100.00 | RIVINIUS/BECKY |
| | 0047173 | 50.00 | SCHOELER/JULIE |
| | 0047175 | 50.00 | SCHROEDER/BECKY |
| | 0047193 | 30.00 | TRAUTMAN/JANE |
| | | 1,181.98 | Final Total |
| WAGES | | | |
| | 3938-4124 | 483,487.37 | WAGES (04-25-2009) |
| | | 483,487.37 | Total Wages |

A motion to adjourn was made by Ova and seconded by Kaiser. At 6:20 p.m. the regular monthly meeting of the Stutsman County Commission was adjourned.

ATTEST:

Noel A. Johnson
County COO (Auditor)

Mark Klose
Commission Chairman