

**OFFICIAL PROCEEDINGS
OF THE REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS HELD
JULY 12, 2011 6:00 P.M. AT CITY HALL IN WILLISTON, NORTH DAKOTA**

1. Roll Call of Commissioners

COMMISSIONERS PRESENT: Howard Klug, Tate Cymbaluk, Brent Bogar, Brad Bekkedahl, Ward Koeser

COMMISSIONERS ABSENT: None

OTHERS PRESENT: Jim Lokken, John Kautzman, Kent Jarcik, Monte Meiers, Shawn Wenko

Koeser announced the following amendments to the agenda. Under 7B – Merlyn Nice appeal of one mile restriction on portable restaurants, there are others present to speak on this issue also. Also, under 8D-1 there is a rental issue that Cymbaluk would like the Commissioners to talk about. Under 9A-4 – an easement for Baker Hughes will be added.

**MOTION BY CYMBALUK, 2ND BY KLUG to amend the agenda.
MOTION CARRIED UNANIMOUSLY.**

2. Consent Agenda

- A. Reading and Approval of Minutes for:
 - 1. Regular Meeting Dated June 28, 2011
- B. Auditor
 - 1. Accounts, Claims and Bills

Combined Check Register
For cks. Between 06/28/11-07/12/11

Check #	Vendor/Employee/Payee Number/Name	Check Amount	Date Issued
-85569	12020 RANDY M DONNELLY	1282.54	07/01/11
-85568	12017 JOHN L. KAUTZMAN	2347.58	07/01/11
-85567	12028 RAINNIE L. LADUE	1169.76	07/01/11
-85566	12018 SANDRA K. SOLBERG	1411.74	07/01/11
-85565	56119 CHEYENNE E. CHINEA	912.35	07/01/11
-85564	13026 KEVIN W. CRAFT	944.19	07/01/11
-85563	56118 KATALIN C. MAGYAR	886.95	07/01/11
-85562	13027 CRYSTAL A. SCHAUBEL	1289.01	07/01/11
-85561	13025 JOLEEN S. TINKER	1419.65	07/01/11
-85560	56087 CODY M. BAKKEN	382.19	07/01/11
-85559	18022 SHARYL J. BUSCH	1746.02	07/01/11
-85558	18028 DAVID C. DONNER	2092.81	07/01/11
-85557	56127 RICHARD S. FISHER	17.92	07/01/11
-85556	18026 MATTHEW L. GARDNER	1886.81	07/01/11
-85555	18001 ALAN K. HANSON	1840.07	07/01/11

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-85554	18100 TANA L. HINRICKSEN	1340.57	07/01/11
-85553	56101 SUSAN G. HOLMEN	324.05	07/01/11
-85552	18027 STEVEN D. KERZMANN	2000.98	07/01/11
-85551	56107 VICTORIA L. KREGER	287.12	07/01/11
-85550	18099 ERICA J. MYERS	151.33	07/01/11
-85549	18024 JONATHON RASMUSSEN	1971.99	07/01/11
-85548	56130 ANDREW A. SAILER	988.45	07/01/11
-85547	18020 RICHARD SHEARER	2499.39	07/01/11
-85546	19024 DAVID L. BELISLE	1087.99	07/01/11
-85545	19092 DUSTIN J. BERTSCH	1164.51	07/01/11
-85544	19028 MARK R. BITZ	1590.33	07/01/11
-85543	56097 ALAN C. BRATT	1201.01	07/01/11
-85542	19090 HEATHER M. CECIL	1201.87	07/01/11
-85541	19076 CORY G COLLINGS	1490.54	07/01/11
-85540	19009 LINDA R. GRANBOIS	964.04	07/01/11
-85539	19017 MARK HANSON	1421.24	07/01/11
-85538	19082 RANDY M. HAUGENOE	1170.65	07/01/11
-85537	56102 MICHAEL A. ISENHOWER JR	1242.94	07/01/11
-85536	19012 THOMAS L. LADWIG	1749.85	07/01/11
-85535	19011 JAMES L LOKKEN	2264.65	07/01/11
-85534	56082 TRAVIS J. MARTINSON	1168.74	07/01/11
-85533	56061 AMY D. NICKOLOFF	1319.86	07/01/11
-85532	56078 DAVID A. NYGAARD	1173.68	07/01/11
-85531	19014 KENNETH B. OWENS	1604.35	07/01/11
-85530	19089 JOHN L. PFAU	1291.83	07/01/11
-85529	56052 JAMESON J. O. SEIM	1198.94	07/01/11
-85528	56098 JAKE O. SNYDER	1150.28	07/01/11
-85527	19077 MICHAEL S. WILSON	1365.69	07/01/11
-85526	19100 RYAN C. ZIMMERMAN	1239.51	07/01/11
-85525	20047 KELLY M. ABERLE	1006.82	07/01/11
-85524	56094 AMY R. DILLY	771.30	07/01/11
-85523	20045 DOUGLAS I. LALIM	1509.64	07/01/11
-85522	56090 RONALD W. ROLLE	1269.58	07/01/11
-85521	21051 CARL S DUNN	1430.03	07/01/11
-85520	21040 MONTE C. MEIERS	1889.39	07/01/11
-85519	21054 WAYNE A WIEDRICH	1335.67	07/01/11
-85518	22020 ROBERT D. KNAPPER	1501.31	07/01/11
-85517	56100 BILLY J. BAKER	1292.17	07/01/11
-85516	23078 DON A. EIDE	1879.66	07/01/11
-85515	56064 HEATH T. GLENN	636.62	07/01/11
-85514	56128 VERNON L. HENDRICKSON	1256.83	07/01/11
-85513	24018 EFFIE J. BROWN	1043.93	07/01/11
-85512	24019 ROBERT D. COUGHLIN	829.47	07/01/11
-85511	56095 DARREL G. GROTEBERG	609.54	07/01/11
-85510	24017 STEVEN W. JENSEN	1051.04	07/01/11
-85509	24013 THOMAS C. POTTER	1321.46	07/01/11
-85508	56104 DANIEL W. TUPA	1437.76	07/01/11
-85507	25110 KENNETH W. BERGSTROM	1248.96	07/01/11
-85506	12029 LORI A. LARSEN	850.76	07/01/11

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-85505	27076 DANNY R. GERGEN	1162.34	07/01/11
-85504	56091 JAMES A HAGA JR	966.35	07/01/11
-85503	56046 CRAIG R. MAHLUM	1048.17	07/01/11
-85502	30027 JAMES E. PHILLIPS	614.64	07/01/11
-85501	56084 KENNETH R. BOYKIN	1183.63	07/01/11
-85500	56114 ANTHONY D. DUDAS	931.67	07/01/11
-85499	56110 ADAM M. FREEMAN	936.72	07/01/11
-85498	56086 STEVEN C. KJERGAARD	1529.46	07/01/11
-85497	56120 VICTORIA M. RUBLE	899.93	07/01/11
-85496	34017 KENT A. JARCIK	1858.23	07/01/11
-85495	56134 JESSICA L. KAISER	948.55	07/01/11
-85494	34016 ELAINE B. SINNESS	708.89	07/01/11
-85493	35025 JOSILYN F BEAN	1124.21	07/01/11
-85492	56079 BRENDA SEPTKA	892.05	07/01/11
-85491	56042 LEPRIEL M. WHITE	942.08	07/01/11
-85490	56039 KERI L. BODA	655.21	07/01/11
-85489	56111 ANDREA L. MITCHELL	616.23	07/01/11
-85488	56136 TAMMY L. ROBINSON	182.46	07/01/11
-85487	48013 DEBORAH A. SLAIS	1031.34	07/01/11
-85486	48034 YVONNE A. TOPP	395.67	07/01/11
-85485	48089 CLARA WEGLEY	640.93	07/01/11
-85484	52013 SHANNON K. INNIS	948.41	07/01/11
-85483	52011 ANN M. KVANDE	1311.31	07/01/11
-85482	56041 BARBARA J. PETERSON	586.34	07/01/11
-85481	52003 THOMAS C. ROLFSTAD	2132.57	07/01/11
-85480	52020 SHAWN WENKO	1408.40	07/01/11
-85479	56109 PAULETTE K. BAUER	655.60	07/01/11
-85478	53006 LAURIE K. BECKER	585.92	07/01/11
-85477	53005 BOBBI JO CLARKE	905.60	07/01/11
-85476	56124 NAOMI R. GARMAN	79.80	07/01/11
-85475	53002 AMY A. KRUEGER	1319.12	07/01/11
-85474	56062 BARBARA G. MCFARLANE	178.45	07/01/11
-85473	56080 BRAD E. SEPTKA	2101.89	07/01/11
-85472	54008 TAMMY K. WRIGHT	1179.98	07/01/11
-85471	56002 Jeremy T. Bakken	14.15	07/01/11
-85470	56025 Michael S. Conlin	18.87	07/01/11
-85469	56026 Scott Copenhaver	14.15	07/01/11
-85468	56013 Josh S. Mosbrucker	28.30	07/01/11
-85467	56058 Brenden L. Stevens	9.43	07/01/11
-85466	FIT U.S. TREASURY	56255.63	06/30/11
-85465	DEFERRED COMP NATIONWIDE RETIREMENT SO	12743.85	07/05/11
-85464	WEAPON CITY OF WILLISTON	59.00	07/05/11
-85463	MERITAIN HEALTH MERITAIN HEALTH	522.78	07/06/11
43696	999999 BRENT SMITH	250.00	06/28/11
43697	999999 BRUCE STONER	250.00	06/28/11
43698	999999 JAMES ATWOOD	185.00	06/28/11
43699	999999 JOHN WEED C/O RICHARD WILKIE	250.00	06/28/11
43700	673 CLERK OF DISTRICT COURT	620.00	06/28/11
43701	533 WILLIAMS COUNTY TREASURER/RECORDER	189.50	06/28/11

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43702	132 FIRST NATIONAL BANK	2985.38	06/28/11
43703	489 VISA	1710.21	06/28/11
43704	56108 PATRICA A. BUCK	703.73	07/01/11
43705	12026 KAREN P. LARSON	830.60	07/01/11
43706	56138 JACOB W. NATWICK	702.26	07/01/11
43707	17016 TOM J. GLENN	922.61	07/01/11
43708	56089 JESSE R. BAYSINGER	218.79	07/01/11
43709	18019 THOMAS R. BLOCH	1590.90	07/01/11
43710	18094 MICHAEL CASLER	215.11	07/01/11
43711	18098 EVAN M. LEISETH	44.81	07/01/11
43712	18081 JENNIFER A. SAX	292.78	07/01/11
43713	18046 GARVIN SEMENKO	29.25	07/01/11
43714	18048 DARWIN STEVENS	87.81	07/01/11
43715	18079 SCOTT S. TANNER	17.92	07/01/11
43716	18097 DUANE S. WINTER	272.05	07/01/11
43717	56121 DUSTIN R. CELANDER	1214.14	07/01/11
43718	19095 WALTER H. HALL	1236.70	07/01/11
43719	56113 MINDY SUE MCEWEN	889.01	07/01/11
43720	19098 DAVID A. PETERSON	1419.27	07/01/11
43721	19056 CHARLES TANNER	1144.57	07/01/11
43722	21041 ROBERT E HANSON	2045.54	07/01/11
43723	56105 EDWARD A LODWIG	494.96	07/01/11
43724	21052 RAYMON J. SKOGEN	1120.91	07/01/11
43725	22021 LES CHRISTENSEN	1427.12	07/01/11
43726	22014 GARY L. GLOVATSKY	1175.68	07/01/11
43727	56125 KYLE J. BEAUFEAUX	636.39	07/01/11
43728	56123 CARRIE M. BOLSTAD	515.21	07/01/11
43729	23136 JAMES B. ENGEN	1512.63	07/01/11
43730	23126 BRENT E. HANSON	1275.52	07/01/11
43731	23039 BRUCE A. JOHNSON	1149.68	07/01/11
43732	56126 ARIC K. MELBERG	564.85	07/01/11
43733	23142 ROBIN S OLIVERIA	1411.41	07/01/11
43734	23123 GREGORY C WERKMEISTER	296.73	07/01/11
43735	25030 PEDAR A. ANDRE	1372.60	07/01/11
43736	27058 DAVID LEE BELL	2063.03	07/01/11
43737	25106 RICHARD S. ODEGARD	1116.17	07/01/11
43738	26039 DIANE K. ALBRIGHTSON	744.57	07/01/11
43739	27067 RICHARD D. BORUD	1128.53	07/01/11
43740	27066 GORDON GRIMMER	1721.30	07/01/11
43741	56047 CHASE C. LUTHER	632.93	07/01/11
43742	27096 RUSSELL E. MOMBERG	1291.02	07/01/11
43743	27091 JOSEPH G. MONSON	1069.28	07/01/11
43744	56112 GARRISON CANTER	938.31	07/01/11
43745	56133 DILLON BODIN	294.90	07/01/11
43746	56137 JESSE FERRELL	528.29	07/01/11
43747	56048 CURTIS E. PAGE, JR.	625.86	07/01/11
43748	31051 GORDON L. SMESTAD	1751.73	07/01/11
43749	56122 WESTON E. SMESTAD	612.97	07/01/11
43750	56099 MARK C. AMONDSON	1004.22	07/01/11

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43751	56129 CHARLES E. OVERBY	1010.85	07/01/11
43752	25112 DUANE F. OVERBY	1205.60	07/01/11
43753	32006 WILLIAM M. MCQUISTON	1201.16	07/01/11
43754	36006 NEIL W. BAKKEN	1495.38	07/01/11
43755	37008 LAVERN GOHL	1214.24	07/01/11
43756	48105 HALEY M BECKER	49.07	07/01/11
43757	48102 KAYLA J. HELL	97.30	07/01/11
43758	56132 HALEY M. NELSEN	271.08	07/01/11
43759	48106 CLARA A. REINKE	67.94	07/01/11
43760	56135 JEAN M. SMITH	577.40	07/01/11
43761	56066 ZACHARY G. CORCORAN	2060.40	07/01/11
43762	54065 PATRICIA K. FIORENZA	1041.84	07/01/11
43763	56028 David Benth	9.43	07/01/11
43764	56003 Randall H. Bjella	165.11	07/01/11
43765	56116 Tyler D. Carlstad	18.87	07/01/11
43766	56085 Kyle D. Christensen	9.43	07/01/11
43767	56023 Mathew P. Ekblad	28.30	07/01/11
43768	56035 Michael Hamers	9.43	07/01/11
43769	56005 Cory J. Hanson	18.87	07/01/11
43770	56006 Randy D. Hanson	33.02	07/01/11
43771	56030 Martin J. Haug	18.87	07/01/11
43772	56007 Troy R. Heupel	9.43	07/01/11
43773	56034 Blaine C. Jeanotte	18.87	07/01/11
43774	56032 Darin P. Luther	9.43	07/01/11
43775	56009 Billy J. Lynn	9.43	07/01/11
43776	56012 Miles A. Mortenson	9.43	07/01/11
43777	56016 Kyle J. Rossland	14.15	07/01/11
43778	56019 Garvin D. Semenko	9.43	07/01/11
43779	56020 Darwin J. Stevens	232.70	07/01/11
43780	56022 Scott S. Tanner	195.59	07/01/11
43781	56031 Zachariah J. Waitman	14.15	07/01/11
43782	56027 Michael W. Walters	23.59	07/01/11
43783	601 BLACKHAWK AGENCY, LLC	2332.80	06/30/11
43784	988 Dell Marketing L.P.	10039.90	06/30/11
43785	826 Gaylord Bros.	1099.56	06/30/11
43786	470 US POSTAL SERVICE	1085.15	06/30/11
43787	999999 RASHEDA ROSS	443.00	07/01/11
43788	999999 ROLAND SCHUMACHER	400.00	07/01/11
43789	999999 STEVEN DORNBERGER	300.00	07/01/11
43790	649 WAL-MART SUPERCENTER	20.00	07/01/11
43791	999999 CELESTIAL MAISEY	1000.00	07/01/11
43792	999999 ROLAND SCHUMACHER	400.00	07/01/11
43793	34 BALCO UNIFORM CO., INC.	437.25	07/01/11
43794	577 EMERGENCY MEDICAL PRODUCTS	646.60	07/01/11
43795	139 GAFFANEY'S	1209.73	07/01/11
43796	246 PHYSIO-CONTROL, INC	326.40	07/01/11
43797	554 THE ECONOMIST	0.00	07/05/11
43798	489 VISA	156.41	07/05/11
43799	MN CHILD SUPPOR MINNESOTA CHILD SUPPORT	294.00	07/05/11

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43800	MT CSED FT MONTANA CSED	44.18	07/05/11
43801	ND CHILD SUPPOR ND CHILD SUPPORT ENFORCE	209.00	07/05/11
43802	SIT ND STATE TAX COMMISSIONE	20614.96	07/05/11
43803	USABLE	309.21	07/05/11
43804	1302 AVIAED	375.00	07/05/11
43805	LINCOLN MUTUAL LINCOLN MUTUAL LIFE & CA	953.70	07/06/11
43806	999999 STEVEN LARSON	25.00	07/06/11
43807	ND HEALTH ND PUBLIC EMPLOYEES RETI	79424.80	07/07/11
43808	5 AIRPORT INN ENTERPRISES	407.00	07/08/11
43809	999999 CORRINA MARTINSON	2.00	07/08/11
43810	999999 JOHNNY PERKINS	300.00	07/08/11
43811	999999 MARTIN & SLYVIA REIGER	60000.00	07/08/11
43812	533 WILLIAMS COUNTY TREASURER/RECORDE	80.30	07/08/11
43813	632 ACKERMAN-ESTVOLD	77731.25	07/12/11
43814	3 ADVANCED ENGINEERING &	232788.45	07/12/11
43815	4 AGRI INDUSTRIES, INC.	1186.50	07/12/11
43816	8 ALL SEASONS SPORT ABOUT	986.00	07/12/11
43817	932 AMERICAN LEGION POST #37	97.60	07/12/11
43818	718 AMERIPRIDE SERVICES	7.10	07/12/11
43819	540 AQUA-PURE INCORPORATED	9345.28	07/12/11
43820	30 ASTRO-CHEM LAB, INC.	954.00	07/12/11
43821	33 BAKER & TAYLOR CO.	394.75	07/12/11
43822	1223 BEST WESTERN PLUS/RAMKOTA HOTEL	69.00	07/12/11
43823	1311 Bismarck Municipal Airport	150.00	07/12/11
43824	1303 BOBBIE & BILLIE DAVIDSON	625.00	07/12/11
43825	1307 Book Systems, Inc	6285.00	07/12/11
43826	52 BORDER STATES ELECTRIC	4.35	07/12/11
43827	55 BRAD BEKKEDAHL	249.75	07/12/11
43828	997 BUTLER MACHINERY CO.	3199.67	07/12/11
43829	966 BYERLY COMPUTER SERVICES	2430.00	07/12/11
43830	1309 C & L'S CHARIOT	300.00	07/12/11
43831	69 CARQUEST AUTO PARTS STORES	81.46	07/12/11
43832	616 CENTER POINT LARGE PRINT	160.56	07/12/11
43833	72 CHARLES TANNER	25.00	07/12/11
43834	77 CITY OF WILLISTON	1211.50	07/12/11
43835	78 CITY OF WILLISTON	28455.50	07/12/11
43836	79 CITY OF WILLISTON	1089.80	07/12/11
43837	80 CITY OF WILLISTON	100.32	07/12/11
43838	81 CLAUSEN WELDING	30.00	07/12/11
43839	752 CONSTRUCTION BULLETIN	575.75	07/12/11
43840	1000 COUNTRY SCENTS	51.00	07/12/11
43841	567 CRAIG'S SMALL ENGINE REPAIR	36.99	07/12/11
43842	89 CRAVEN-HAGAN CLINIC, LTD.	115.00	07/12/11
43843	548 DAKOTA DIESEL	63.86	07/12/11
43844	927 DAKOTA PUMP & CONTROL	2056.00	07/12/11
43845	988 Dell Marketing L.P.	6895.96	07/12/11
43846	1198 DEMCO	237.66	07/12/11
43847	568 DPC INDUSTRIES, INC	2721.75	07/12/11
43848	119 EBEL INC.	170.00	07/12/11

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43849	122 EL RANCHO CORP.	548.34	07/12/11
43850	126 EMRY'S LOCKSMITHING	91.00	07/12/11
43851	880 ENERCON, INC.	1169.65	07/12/11
43852	650 ETHANOL PRODUCTS, LLC	1553.33	07/12/11
43853	127 F&F SPRINKLER SYSTEMS	145.45	07/12/11
43854	905 FALCON PUMP & SUPPLY	83.52	07/12/11
43855	130 FARGO WATER EQUIPMENT CO	87.10	07/12/11
43856	668 FASTENAL COMPANY	175.18	07/12/11
43857	569 FEDEX	29.42	07/12/11
43858	857 Follett Software Company	79.97	07/12/11
43859	134 FORT UNION SUPPLY & TRADE	654.89	07/12/11
43860	139 GAFFANEY'S	7375.76	07/12/11
43861	949 GFS CHEMICALS, INC.	606.74	07/12/11
43862	1283 Gooseneck Implement	256.95	07/12/11
43863	1022 GREEN THUMB LAWN SERVICE	300.00	07/12/11
43864	151 HAWKINS, INC.	17760.35	07/12/11
43865	158 HEWLETT-PACKARD	766.00	07/12/11
43866	161 HOME OF ECONOMY	380.72	07/12/11
43867	162 HORIZON RESOURCES	8976.94	07/12/11
43868	163 HOSE AND RUBBER SUPPLY	149.18	07/12/11
43869	166 HUSKY OIL MARKETING CO.	4262.40	07/12/11
43870	999999 JEFFREY L. JORDHEIM	9000.00	07/12/11
43871	1314 Jim Holman	44.00	07/12/11
43872	196 KADRMAS LEE & JACKSON INC	3755.48	07/12/11
43873	204 KEYZ-KYYZ RADIO	972.50	07/12/11
43874	212 KOTANA COMMUNICATIONS	1211.95	07/12/11
43875	591 LEXIS NEXIS	76.71	07/12/11
43876	223 LIBRARIANS' CHOICE	425.80	07/12/11
43877	1107 Mathison's	69.23	07/12/11
43878	1310 MED-TECH RESOURCE, INC.	129.16	07/12/11
43879	245 MEDQUEST INC	649.68	07/12/11
43880	250 MICROMARKETING ASSOCIATES	320.22	07/12/11
43881	254 MIKE'S WINDOW CLEANING SERVICE	196.00	07/12/11
43882	1308 MILLION DOLLAR LANES	205.00	07/12/11
43883	255 MILLY'S ALTERATIONS	147.00	07/12/11
43884	808 MINOT DAILY NEWS	342.72	07/12/11
43885	260 MODERN MACHINE WORKS	641.00	07/12/11
43886	261 MON-DAK PLG & HTG, INC.	224.00	07/12/11
43887	1150 MONDAK PORTABLES LLC	287.14	07/12/11
43888	243 MONTANA DAKOTA UTILITIES	16401.55	07/12/11
43889	267 MOUNTRAIL-WILLIAMS REC	413.24	07/12/11
43890	271 MVTL/MINNESOTA VALLEY	63.00	07/12/11
43891	275 NAPA AUTO PARTS	682.48	07/12/11
43892	276 NATIONAL-OILWELL	51.28	07/12/11
43893	291 ND DEPARTMENT OF HEALTH	1060.00	07/12/11
43894	1180 ND HOUSING FINANCE AGENCY	500.00	07/12/11
43895	1046 ND INSURANCE DEPARTMENT	19725.77	07/12/11
43896	297 ND ONE CALL	497.90	07/12/11
43897	301 ND PETROLEUM TANK FUND	1200.00	07/12/11

43898	311 ND STATE RADIO COMM.	360.00	07/12/11
43899	319 NELSON INTERNATIONAL	316.67	07/12/11
43900	584 NMN, INC.	152.50	07/12/11
43901	324 NORTHERN IMPROVEMENT CO.	96542.64	07/12/11
43902	333 NORTHWEST SUPPLY CO.	264.99	07/12/11
43903	336 O.K. TIRE STORE	27.11	07/12/11
43904	340 OHNSTAD TWICHELL PC	2635.90	07/12/11
43905	1250 OK TIRE STORE	491.70	07/12/11
43906	343 OLYMPIC SALES, INC.	93042.65	07/12/11
43907	344 ONE FULFILLMENT	152.50	07/12/11
43908	345 OPPORTUNITY FOUNDATION	1825.00	07/12/11
43909	947 OVERDRIVE, INC.	3000.00	07/12/11
43910	351 PENWORTHY	489.65	07/12/11
43911	354 PETER H. FURUSETH	7995.00	07/12/11
43912	359 PRAXAIR DISTRIBUTION INC	344.45	07/12/11
43913	641 PREBLE MEDICAL SERVICES, INC	175.00	07/12/11
43914	362 PRO SAFE PEST CONTROL	186.00	07/12/11
43915	367 QUILL CORPORATION	216.60	07/12/11
43916	390 RICHARD A. JOHNSON	320.00	07/12/11
43917	1091 ROBERT GIBB & SONS	8864.15	07/12/11
43918	407 SALEM PRESS, INC.	127.50	07/12/11
43919	1133 SANDERSON STEWART	5088.38	07/12/11
43920	409 SANITATION PRODUCTS	471.95	07/12/11
43921	412 SCHMITZ LAW OFFICE	2722.50	07/12/11
43922	417 SENSUS METERING SYSTEMS	231.00	07/12/11
43923	426 SOURIS RIVER TELECOMMUNICATIONS	190.31	07/12/11
43924	1080 STANDARD AND POOR'S	13670.00	07/12/11
43925	2009 STAPLES ADVANTAGE	188.43	07/12/11
43926	1132 STEVEN KJERGAARD	319.93	07/12/11
43927	1315 Steves Handyman Service	650.00	07/12/11
43928	436 STONEY CREEK KENNELS	3000.00	07/12/11
43929	1313 SVEN HAUGE	97.50	07/12/11
43930	448 THE SIGN SHOP	340.00	07/12/11
43931	1142 TOTALFUNDS BY HASLER	500.00	07/12/11
43932	460 TRACTOR & EQUIPMENT CO.	20649.84	07/12/11
43933	463 TRIANGLE ELECTRIC	79.71	07/12/11
43934	484 VERIZON WIRELESS	2264.31	07/12/11
43935	1194 VIDACARE	503.64	07/12/11
43936	487 VISA	4033.24	07/12/11
43937	498 WESTERN FIRE & SAFETY	265.00	07/12/11
43938	503 WESTLIE MOTOR CO.	179.71	07/12/11
43939	564 WILLIAMS RURAL WATER DISTRICT	850.44	07/12/11
43940	518 WILLISTON HERALD	1507.69	07/12/11
43941	519 WILLISTON HOME & LUMBER	78.75	07/12/11
43942	526 WILLISTON TRUE VALUE	2.58	07/12/11
43943	530 WILLISTON/WILLIAMS COUNTY - LEC	384.66	07/12/11

Total Claims	355	848,953.28
Total Payroll		<u>339,110.51</u>
Grand Total		1,188,063.79

2. Application for a Local Permit or Charity Local Permit
 - a. Mercy Medical Center Auxiliary
3. Application for Arborist License
 - a. Dennis Ross Evergreen Service
4. Application for Special Permit to Sell Alcoholic Beverages
 - a. N & J Enterprises, Inc; July 16, 2011; Haas/Iblings Wedding Reception
- C. Building Official
 1. Application for Fuel and Gas Piping Installers License
 - a. James Townsend – Aircare Heating and Air, LLC
 - b. Chad Syrdal – Aircare Heating and Air, LLC
 - c. Jerold Albert – Cofell’s Heating and Plumbing, Inc.
 - d. Jeremiah Johnson – Flare Heating and A/C
 - e. Douglas Dormanen – Flare Heating and A/C
 2. Application for Master Mechanic License
 - a. James Townsend – Aircare Heating and Air, LLC
 - b. Chad Sydral – Aircare Heating and Air, LLC
 - c. Jay Cofell – Cofell’s Plumbing and Heating, Inc.
 - d. Corey Anderson – ASP Mechanical
 - e. Douglas Dormanen – Flare Heating and A/C
 3. Application for Journeyman Mechanics License
 - a. Cofell’s Plumbing and Heating Inc.
 - b. Jeremiah Johnson – Flare Heating and Air Care
 4. Application for Master Plumber License
 - a. Jay Cofell – Cofell’s Plumbing and Heating, Inc.
 5. Application for Journeyman Plumber License
 - a. Jerold Albert Cofell’s Plumbing and Heating, Inc.
 6. Application for Sign Hangers License
 - a. Epcon Sign Group
- D. City Planner
- E. Assessor.
 1. Abatement
 2. Exemptions
 - a. Lot 5 of Block 2 Pettis Subdivision – 302 13th Street West, City of Williston – Brent Bogar’ – addition of garage and master bath, siding and windows – Years exempt 2012 – 2014

MOTION BY BEKKEDAHL, 2ND BY CYMBALUK to approve the consent agenda as presented to the Commissioners.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

3. Bid Openings
 - A. Williston North Water & Sewer Improvements – 2011

Meiers explained this bid is to run sewer/water out to the Marburger/Vizina annexation. Of the three bidders, the low one was Kuechle Underground, Inc. from Minnesota at \$3,513,197.00. He would like to recommend awarding the bid to this company subject to getting the right of way and plan modifications taken care of.

MOTION BY KLUG, 2ND BY CYMBALUK to approve the bid to Kuechle Underground for \$3,513,197.00 subject to getting the right of way and plan modifications taken care of.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- B. East Broadway Water Main Extension District 11-5

Meiers explained this bid was to run water from County Road 9 out to 27th Ave to have access into Halliburton. There was only one bidder, SJ. Louis at \$744,963.00, which was over the engineer's estimate by 59%. This was a special assessment district which has been set up and by law we can't award this to the bidder. When Meiers asked SJ Louis if this could be reduced, he was told they could not do that. There is also a right of way issue which has not been finalized, along with a Corp permit issue, so Meiers recommends we table this at this point.

**MOTION BY CYMBALUK, 2ND BY KLUG to table.
MOTION CARRIED UNANIMOUSLY.**

Public Hearings

- A. Proposed Zone Change from A: Agricultural to R1A: Rural Residential for Sub lot 4, SE1/4, Section 12 T154N, R101W, Williston Township – Gilbertson

Koeser opened the public hearing.

Jarcik explained this parcel is north of 26th Street, west of the cemetery, east of the mobile home. The existing property currently has a residence, but the owner plan to split the sub lot to allow for an additional home. The area north of this is zoned R1A so they are requesting this lot by zoned the same. Recommendation by Planning and Zoning is to approve this.

Cymbaluk' questioned the access to the property and Jarcik explained this would be off 9th Ave.

Koeser called for a second time for public input.

Koeser called a third and final time for public input.

Koeser closed the public hearing.

MOTION BY BOGAR, 2ND BY BEKKEDAHL to approve the zone change as presented.

Cymbaluk' questioned if when the zone is changed, can it be subject to the plat approval being presented before the Commissioners to do a lot split. Furuseth informed him on this platted lot technically a simple lot split can be done, since it's a pre-existing private lot.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- B. Proposed Zone Change from A: Agricultural to M-1: Light Industrial for Lot 3R and Sub lot 4, NE1/4, Section 3 T154N, R101W, Williston Township-Ironwood Development/Owan.

Koeser opened the public hearing.

Jarcik explained this parcel is just north of the Borsheim area, which is 45th and 22nd. This is a rezone request to from Agricultural to M-1: Light Industrial to allow for a future plat. Recommendation by Planning and Zoning is to approve this.

Verlin Owan questioned why the plat is being presented. Jarcik answered this re-zone would be contingent on preliminary plat.

Koeser called for a second time for public input.

Koeser called a third and final time for public input.

Koeser closed the public hearing.

Bekkedahl questioned Jarcik if Planning and Zoning has looked at the access to this property and what major streets have access to this development. Jarcik responded 22nd and 9th which would access the Borsheim area and there would be more discussion for street development.

MOTION BY BEKKEDAHL, 2ND BY CYMBALUK to approve the request presented by the Planning and Zoning Committee.

Cymbaluk questioned if this would be subject to the plat approval and Bekkedahl responded yes. Cymbaluk also questioned since the water was under our jurisdiction, is there an ordinance on the water well situation and Jarcik said they are aware of this.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- C. Proposed Zone Change from A: Agricultural to M-2: Heavy Industrial for unplatted parcel (2.87ac), SW1/4 NE1/4, Section 2, T154N, R101W, Williston Township and Preliminary Plat for NOV Tuboscope Subdivision – National Oil well (NOV)/Sorenson

Koeser opened the public hearing.

Jarcik explained how this is finishing up the property west of John Deer and Mobile Home Sales. This will be property for Tuboscope for an industrial location by Connor Sales. This request had come in earlier from Don Sorenson and the major item at that time was to rezone a piece of the property. At that time, there was some concern regarding legal access and this has been correcting by replatting the property to give them access to the north. The Planning and Zoning recommendation is to approve the rezone for the Tuboscope property and this should have the contingency of the final plat approval. Also the second recommendation to approve the plat contingent upon providing a 40 foot wide public access and utility easement along the west property line and south property line, title opinion and final plat requirements.

Koeser called a second time for public input.

Koeser called a third and final time for public input.

Koeser closed the hearing.

MOTION BY CYMBALUK, 2ND BY BEKKEDAHL to approve the rezone subject to the final plan approval with the necessary right of way identified.

Cymbaluk mentioned about one year ago there was talk of a bridge that had to be built to satisfy county specifications. Meiers explained the land owner is putting in his own bridge, not for public use so the flood plain is not filled.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

MOTION BY BOGAR, 2ND BY CYMBALUK to approve the Preliminary Plat with the following conditions: providing a 40 foot wide public access and utility easement along the west property line and south property line, title opinion and final plat requirements.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

5. Accounts, Claims and Bills Not Approved in the Consent Agenda
6. Ordinances
 - A. Proposed first reading of Water Well Prohibition Ordinance

Koeser explained this would be an ordinance prohibiting private water wells in the City of Williston providing exceptions for current water wells and providing penalties for violations. The commissioners will look at a first reading tonight and a second reading in two weeks.

Kautzman reminded the commissioners the purpose of this ordinance is because of the fact someone was looking to possibly drill a well in the industrial park and something needed to be put together to stop this.

MOTION BY BEKKEDAHL, 2ND BY CYMBALUK to approve the first reading as presented.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- B. Second Reading Ordinance No. 937 – Ordinance for Mandatory Inspection and Mandatory Fines for Sump Pumps Installation Violations

Koeser explained this issue came to us when the city started having an issue with sump pumps pumping water into the sanitary sewer plant, which overwhelmed this. This ordinance asks the public to set up a way to pump the water into the street, so it goes into the storm water system. It also allows for inspections for the city to go out and see if it is done right. The commissioners have discussed during the winter, letting people pump water into the sewer system and this needs to be worded into the ordinance.

MOTION BY KLUG, 2ND BY CYMBALUK to table the second reading until the winter wording change is made to the ordinance.

MOTION CARRIED UNANIMOUSLY.

- C. Second Reading Ordinance No. 938 – An Ordinance Amending Section 5-321 of the Code of Ordinances for the City of Williston, North Dakota Relating to Penalties for Violating Building Regulations

Koeser explained this is the second reading of Ordinance 938 where there are penalties when people did not get building permits, working in the city without proper license, etc.

MOTION BY CYMBALUK, 2ND BY BOGAR to approve the second reading of Ordinance 938.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

7. Petitions, Communications and Remonstrance's
A. John Hoffman – Set Back Issue

Koeser informed the commissioners John Hoffman had visited with him recently about a setback issue on an apartment which is creating some misunderstandings and problems. Doug Hoffman, John's dad explained they purchased the lot last fall, which they were going to build three eight plexes on. They received the permit for the first eight plex and were disapproved for second one, because there was not enough room there. There is supposed to be 10 feet between the parking lot and the building and five feet between the parking lot and the alley. The space Hoffman had between the building and the parking lot is four feet and the alley was four feet inside of where it was suppose to be at. So, he went back and redesigned the parking lot and met with city officials with an easement being discussed. John Hoffman further explained shifting the lot four feet to connect to the existing alley and they would be responsible for the snow removal. Meiers reminded the commissioners this alley was built four feet wide to accommodate access to the garages of the town houses in the area and Bob Hanson had

mentioned this when he issued the building permits to Hoffman. Since Hoffmans do own both and they are willing to do this, Meiers thinks this is okay.

Cymbaluk questioned if there could be a deed restriction so this is hooked to this property is Hoffman's decide to sell it, so the city is not liable for it in years to come. Meiers responded there is an easement already on the first one, but there probably needs to be an easement on other part that needs to be on their property to offset the alley way, with snow removal included.

Klug questioned if the pickups that park there would stick out into the alley, as they do nearby. Meiers responded they have gone by Hoffman's assumption there is plenty of parking for the existing 24 plex. Hoffman responded there is 37 feet and 20 feet is required for a parking lot. Klug questioned where the snow is going to go from that area and Hoffman said he would pile it until he ran out of room and then haul it away.

MOTION BY BOGAR, 2ND BY KLUG to approve the shifting of the alley of four feet and with that the alley would be curbed, that the ownership would be responsible for the snow removal along this property and this would all be filed appropriately on the plat in the documents at the Courthouse as necessary.

Furuseth will work with Schmitz on this document.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

B. Merlyn Nice – Appeal of one mile restriction on portable restaurants

Merlyn Nice explained to the commissioners he has been told his concession stand will not be allowed, even though it has been licensed and in the city limits. He does not understand why the city is trying to annex this area and he is being forced out when all the paperwork is done and he serves good food.

Cymbaluk questioned who he is licensed by and Nice responded the state and the city. Kautzman questioned what license Nice had from the city and Nice responded he has what is required for the city. Kautzman then responded the city does not have a license and does not issue them for transient restaurants. Merlyn wants to do whatever it takes to dissolve this, and doesn't want to cause a problem.

Klug questioned where the trucks park when they get the food and Nice responded they come off the highway and onto a service road and then back onto the highway. Klug explained to him trucks should not be on these roads, because they are getting torn up. Klug also questioned Nice where are the signs for this business, which Nice responded are on the unit. Klug further questioned Nice about the hand painted signs in the ditch in front on his place and told him these were not permitted.

Jarcik informed those present that restaurants are a structure built on a permanent foundation which are permitted in a general commercial or restricted commercial or a restaurant in a light industrial area or under a special permit use. There is nothing listed for temporary uses. Under Section 25 regarding temporary use says no temporary structure should be established unless there is a zoning certificate. This zoning applies to the city of Williston and the one mile area.

Cymbaluk questioned Nice if he is paying any taxes and Nice replied he is paying state taxes on his business. Nice says the city is out of order because he has permission to do this and the area is zoned commercial and Koeser responded the city is trying to address this and resolve some of these issues. Bekkedahl requested the name of the state person of commented the city is out of line, so he could talk to him and Nice said it was the Department of Health Dept.

Terry Gaudreau told the commissioners he gets phone calls all the time to place stands on this property, which he doesn't allow. Gaudreau commented the food at these stands is really good and they are providing a service which is necessary right now. The food places in town cannot keep up with the population in this town and these stands are taking the over ride. Do we really want to send a message these stands are not allowed there? Gaudreau commented on the amount of trucks parked on the frontage road in front of his business every night that are tearing up the street and he has orange cones in front of his business for a no parking area. He did talk to the Dept of Transportation and they are going to put no parking signs on that frontage road. Gaudreau commented this area looks like a big circus act right now and Klug asked him how we stop the circus act. Klug continued we have to take the first step in stopping the circus act by eliminating the signs in the ditches. There is a tent sitting by the International Inn with port potties with no parking signs in front of it regulating city streets. This street was just paved with no truck parking signs and then someone decides to put up a temporary structure in there. Gaudreau asked if the City allowed the restaurant and Klug responded they did not and they just show up. Bekkedahl informed Gaudreau there is no permit for these types of businesses, and the state issues health permits for these businesses. Bekkedahl said the commissioners need to have a discussion on what kind of businesses, fees, permits, bonds they can allow here when they are existing businesses. Klug mentioned what is wrong with them moving out to where they could be. Gaudreau responded there is more traffic on the north side of town, but no room for them to do business.

Ernie Bingham who has an iron kitchen by Champs Place informed the commissioners he had been working on this since February with e-mails to Planning & Zoning and also receiving a County Vendors Permit. He explained there was not anything in the e-mail about being a mile out of the city limits and after getting the County Permit, he was told he couldn't be there. He spoke with local people and it is hard to get into town and get something to eat within an hour, so his business would help out with that.

Ed Boolea purchased Michelle's Restaurant about one year ago and he is under the impression with having a business license and tax license along with a \$5000 bond in place that when they prepare food out of their kitchen, they would be okay to sell food at an offsite location. He has lease property from Orville Erickson for over the past year and has fed up to 800 people on Saturdays and Sundays with adequate parking. He has money invested in this and thought he was doing everything right, but now these transient laws have come up. He also expressed the need for flexibility for these food places in this area right not.

Koeser suggested appointing a committee to solve this problem and asked if there were a couple of commissioners who would like to be involved and Cymbulak and Bogar volunteered to do this. The other people on the committee would be Lokken, Jarcik, and Furuseth, along with Kautzman. Bekkedahl suggested someone from the county also be involved eventually.

MOTION BY BEKKEDAHL, 2ND BY BOGAR to establish this committee as amended.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

Furuseth recommended we hold and advance where we are right now on this issue until we make a decision and there are too many enforcement issues to deal with. He recommended we allow those to stay who are there now and then decide what we are going to do.

Klug questioned if we were going to allow these vendors to stay even though they are not in compliance. He also questioned if they can enforce if there are signs where they do not allow. Koeser responded these issues could still be address by law enforcement, etc.

KLUG amended the above motion by allowing the existing businesses to stay where they are at until this committee has met and decided what they are going to do with speculations that they need to remove their signs from public right of way. Also, not put anymore signs in violations of our ordinances. 2nd BY BEKKEDAHL.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

Koeser explained the need for a truck stop in the Williston area and we are working on a way to deal with the truck issue.

C. Bob Bergeron Annexation

Bob Bergeron would like to tie into the sewer system that is fifty feet away from his property and he has had issues with his septic system. He would like to be annexed in or whatever it takes. Kautzman commented this is one of the areas where there could be fill in annexation and with a resolution being prepared. This area may have 25% or more protesting the annexation, but the board could take the next step and take this in front of the administrative law judge. This was done previously and we prevailed and got the area behind the Scenic Sports area.

Bekkedahl questioned Bergeron if any of his neighbors were interested in this. Bergeron doesn't know of anyone in the area who wanted to do this. Bekkedahl agreed with Bergeron if they are going to put a sewer system in front of his property that is the time to place a hook up between him and that line.

Klug questioned if we could have them sign a non annexation clause and hook them up at the same rate we would charge someone else at time and a half until he is annexed.

Meiers proposed we provide this hookup, with the understanding we do proceed with the annexation and Bergeron would have to sign the same waiver. If this property is not annex, he would have to proceed with this at the time and a half and it would be Bergeron's cost to hook up to this and this fee is based on your meter size.

MOTION BY KLUG, 2ND BY BOGAR to set up a committee to address the hookup fees. This committee will consist of Klug, Bekkedahl, Meiers, and Kautzman.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

Koeser called for a ten minute recess.

D. SRF Report on Annexation Study

Cindy from SRF presented a report on an Annexation Study for the City of Williston and also pamphlets for people interested in the information which the commissioners received copies of. In this study, existing growth limitations, growth potential, tax base, financial equity in the region, efficient use of land, the frequent objections to annexation which is frequently cost, the process of annexation, annexation options (areas, issues, and costs), expanding the extraterritorial area and this process, emergency services, school districts issues, and water service areas. Recommendations related to the annexation were also discussed. The most important one is not approving zoning changes or subdivisions with the existing ETA without annexation and the provision of city services.

Bekkedahl questioned if there could be a breakeven point assigned to the property tax and water charge comparison of the different valued houses and Cindy responded they could, that these figures are just for guidance. It was also explained to him the advantages using the pamphlet with the departments listed.

Cymbaluk questioned if in Cindy's opinion with what is presented, is leap frogging a dangerous game. Cindy agreed and in her opinion a lot of this issue is cost and there is no guarantee that the land in between will ever be annexed. Cindy continued on to say annexation needs to be done even on areas that have some level of protest. Koeser used the industrial park as an example when it comes to leap frogging. Kautzman inquired if there is grant funding available, you take a major concern away and Cindy agreed.

Koeser expressed his appreciation to SRF for preparing this report and this will be a good tool for down the road to fall back on.

MOTION BY BEKKEDAHL, 2ND BY BOGAR to accept this report from SRF and he appreciated them being here tonight and giving us this information.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

8. Report of Commissioners
 - A. President of the Board
 - B. Vice-President; Finance Commissioner
 1. Joel Gilbertson's 2012 contract and proposal

Bekkedahl informed the commissioners he has had discussions since the legislative session ended with Joel Gilbertson, who is our attorney in Bismarck for the session and its issues. Part of this discussion was it was felt this was a very successful session for the City of Williston.

Also discussed was to entertain the services of Mr. Gilbertson in a legal status through the year 2012 to prepare for the 2013 legislative session as well. He has sent a document (service agreement) with a cost estimate for that retainer fee for the next year.

MOTION BY BEKKEDAHL, 2ND BY BOGAR for the recommendation to continue the legal services of Mr. Gilbertson with adoption of this agreement.

Cymbaluk agreed Mr. Gilbertson did a good job for the commissioners and laid a great foundation for moving forward for what may come in the near future. He also expressed his thanks to Bekkedahl for putting this together.

Klug questioned who was going to approve the expenses representing the City of Williston. Kautzman reminded him it was Bekkedahl last time and this needs to be in the service agreement.

AMENDED MOTION BY KLUG, 2ND BY CYMBALUK to approve Commissioner Bekkedahl as the representative for the City of Williston.

MOTION CARRIED UNANIMOUSLY.

Klug questioned whether we make the amount of this agreement public and Bekkedahl responded we do with the amount for 2012 being \$16,000.00.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

2. WAWS Funding Request

Bekkedahl has had discussions with Dave Johnson who is present tonight regarding an interim funding request. When the WAWS funding was formed, its finance mechanism was put in place by the legislature, but there is a lag time between when they will receive their Bank of ND funding. This lag time is going to impact some construction payments, so Johnson is here since most of funding is impacting our growth to the west side of Williston and to see if we can provide some gap financing until the Bank of ND financing comes thru.

Bogar further explained legislation approved the funding which is being managed by Bank of ND in four different loans packages the legislation outlines. The Bank of ND is going through the process due to the size of the loan which is one hundred and ten million dollars, which has to be approved by the State Industrial Commission. With contracts and construction starting on projects that have already been approved and the Industrial Commission doesn't meet until next week and then it will take a couple more weeks until the documentation is completed and closed on the loan for those funds. So, with contractors needing to be paid, the authority is looking for member entities that are gaining benefit from these projects.

Johnson explained the WAWS Committee did approve a split of the total needs and what they expect the needs to be. They feel GAP Financing will be needed for July of \$732,212 and August of \$2,026,249 with a total figure of \$2,758,461.00. Williston's share of this would be primarily on the pipe line that takes water to the Schlumberger site, then to Harvest Hills would be 1.6 million. Williston's cost share according to this proposal would be \$2,365,317, which R

and T would contribute \$180,000, McKenzie - \$170,000, Williams Rural Water - \$36,000 and BDW - \$24,000. This money is expected to be paid back in two to three months.

Bekkedahl informed the commissioners based on these numbers, there are fund balances which can be paid from our cash balance right now, as long as this is not extended beyond the end of the year. He would feel safe doing what is requested to provide this gap financing for them.

Bogar commented after speaking to the Bank of ND, they do feel we are in a good position within the next month to have this loan closed.

Koeser reminded those present the WAWS Project was testified and advocated for. In the first phase, Williston is the big beneficiary of this and if WAWS was not here, we would have to pay for it and there would be zero interest for this money. This money would be paid back within five days of the WAWS Project receiving the money from the Bank of ND or by the end of the year.

Cymbaluk asked if there was a guarantee we would get this money back and Bogar responded this was the purpose for the agreement.

Klug questioned Bekkedahl if he was comfortable with the December 31st issue in the agreement. Bekkedahl replied he was as long as we don't extend beyond the end of the year and he feels we will see it much sooner than that.

MOTION BY CYMBALUK, 2ND BY KLUG to approve \$2,365,317 to the WAWS funding request and to authorize the mayor to sign this funding request.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

3. Contract for Sanderson Stewart – Contract Amendment Proposal

Meiers explained this was the development on 32nd from Hwy 2 & 85 Conoco up to the Retail Commercial Site. He suggested tabling this, since he hasn't had a chance to review it.

MOTION BY CYMBALUK, 2ND BY BEKKEDAHL to table this request.

MOTION APPROVED UNANIMOUSLY.

- C. Street and Improvement, Sanitation, Cemetery and Public Works Commissioner
- D. Fire, Police, and Ambulance Commissioner
 - 1. Rental issue

Cymbaluk explained it was brought to his attention a letter of rent increase from Williston Land Company. He reminded the commissioners North Dakota government cannot control rent, and he appreciates that. However, about a year and a half ago, the Williston Land Company, 4840 Amber Valley Parkway from Fargo, ND came to commissioners requesting a tax break and received it. He is asked Kautzman to check when this was approved and if this company received any flex pace buy down funding or anything of this sort. Cymbaluk remembers asking the representative if the rent would be affordable and he responded they were going to stay in the \$750-\$1,200 range. In less than one

year, he has sent notices to his tenants that their rent has gone from \$1,200 to \$2,000 a month. Cymbaluk wants it known making a profit is one thing, but this is flat gouging the people of this community and this needs to be stopped. There is nothing we can do legally due to the laws of ND, but he wants the people to know. There are over 15 people who will need to leave this premise because of their rent. This apartment is located southeast of the hospital on 11th Street.

Furuseth asked if there was an agreement on these apartments and Kautzman didn't think there was rent control included in this. It was also mentioned at the time these apartments could be used for city employees.

MOTION BY CYMBALUK, 2ND BY KLUG to have Mr. Kautzman obtain minutes from that meeting and any other meeting relating to that project that was brought before this body.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- E. Water Works, Sewer, Airport, Building and Planning Commissioner
- 9. Report of Department Heads
 - A. City Auditor
 - 1. Beer Garden Approval at Cattail's

Kautzman informed the commissioners the recommendation out of committee was to approve the Beer Garden request for Cattail's with the back door having the alarm system hooked up activated.

Klug asked if there was access to the alley and Kautzman responded there is no access into the bar from the alley. There is an alarm on the door and only to be used for an emergency exit out.

Steve Erickson spoke on the issue with the back door of Cattails, which a lot of his customers use. The only feasible way for this to work is to have an egress door, which has no latch from the outside to access the alley and they have installed a push bar to open the door from the inside. There will be a bartender on duty starting at 5PM every day and for additional security during the day, Erickson has installed 6 cameras in the back outdoor area. If the door is opened during the day, an alarm will alert the bartender inside also.

MOTION BY CYMBALUK, 2ND BY KLUG to approve the Beer Garden Request for Cattail's.

Erickson also commented there will be an eight foot wall built to keep the noise down. He would like to have the outdoor area open until 1:00AM, instead of 10PM and has spoken to the neighbors in the area to call if the noise gets loud and he will take care of it. He wants this area to be a quiet area and have a bartender back there. It was decided to leave the 10PM closing time as is and to revisit the hours at a later time.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- 2. Application for Taxi License – Around About Shuttle

Kautzman recommended the approval of the Around About Shuttle service, subject to them obtaining the insurance. The company was waiting to attain the insurance until after the application was approved by the commissioners. This is going to be a shuttle service between the man camps and Williston.

MOTION BY BEKKEDAHL, 2ND BY CYMBALUK to approve.

MOTION BY BEKKEDAHL, 2ND BY KLUG to amend the motion that the application title actually be Application for Limo/Shuttle Service

MOTION TO AMEND WAS APPROVED UNANIMOUSLY

AYE: Klug, Cymbaluk, Bogar, Bekkedahl, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

3. Notification of New Manager of Premises Licensed to Sell Alcoholic Beverages – M&H Gas #34

Kautzman informed the commissioners the police have completed a back ground check and everything is in order and he would recommend approval.

MOTION BY KLUG, 2ND BY CYMBALUK to approve.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

4. Easement for Baker Hughes

Kautzman explained this is a request for Baker Hughes to put their IT services across a public roadway and connect the two buildings.

Meiers explained that we would use the same contract we have used with other people to do this and feels comfortable doing this.

MOTION BY CYMBALUK, 2ND BY BEKKEDAHL to approve.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- B. Attorney
- C. Director of Public Works/City Engineer
 1. WWTP Emergency Pump Improvement Contract

Meiers is looking for approval to hire mechanical/electrical contractors to put in emergency pumps from our aeration ponds to our large holding ponds. He recommends we award the contract to Magney in

the amount of \$14,760 for the mechanical work and to Tri-Star Electric in the amount of \$17,655 for the electrical work.

MOTION BY BOGAR, 2ND BY BEKKEDAHL to approve.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

2. COE Levee Failure – Contingency Plan

Meiers commented he has not received anything from AE2S, so he recommends tabling it or removing it until it is received.

MOTION BY KLUG, 2ND BY BOGAR to remove it.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

D. Fire Chief

E. Chief of Police

F. Building Official

G. City Planner

1. Rural Water Applications – request for a committee to discuss processing of rural Water applications and direction on pending rural water applications.

Jarcik would like to request a committee to review procedures for rural water applications. He also would like to table the applications that are pending until the City Commission has taken action after committee review. The committee would consist of Meiers, Furuseth, Kautzman, Bogar, Koeser, and Lalim.

MOTION BY BEKKEDAHL, 2ND BY BOGAR to approve the request as submitted by Kent Jarcik.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

2. Rosa Johnson Rural Water Request

Jarcik presented the Rosa Johnson Rural Water Request for the Erickson Mobile Home Park, which was tabled previously. His recommendation is to approve the rural water request for the development of the mobile home court contingent on a signed development agreement by the applicant and City and completion of annexation.

Cymbalu' questioned if the Rural Water Committee previously approved would look it this before voting. Koeser responded they are looking at being annexed and the agreement has been signed.

MOTION BY BEKKEDAHL, 2ND BY BOGAR to rural water request for the development of the mobile home court contingent on a signed development agreement by the applicant and City and completion of annexation for the Erickson Mobile Home Court.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- H. Economic Development
 - 1. Mini-Match Application

Shawn Wenko presented a Mini-Match Application from the R-Rooster BBQ Company on 2nd Street. They have done extensive remodeling to their bathrooms to make them ADA compliant, so they are seeking a \$5,000 mini-match grant through the Star Fund.

MOTION BY BEKKEDAHL, 2ND BY KLUG to approve this application from the R-Rooster BBQ Company.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- I. Airport
- J. Assessor
- K. Convention and Visitor's Bureau
- 10. Appointments and Consultations with Officers
- 11. Unfinished Business
 - 1. Assignment of lease on the Crow Fly property – Rick Tofte

Kautzman asked that this be on hold at this point, due to Engineers issues and Rick is out of town on a medical issue.

- 2. Truck Route Violation Ordinance Requirements

Furuseth is still working on the Truck Route Violation Ordinance Requirements.

Jerry Miller commented GPS shows the truckers the routes through the city and he doesn't believe there should be large fines for this.

Koeser explained we are having a huge problem with trucks coming downtown and they cause traffic issues, breaking up the streets, they are tearing out signs and the fine is very small - \$20.

Lokken commented his department has issued over 100 tickets at \$20 with no points off their license, so no one pays any attention to it.

Klug commented these people are professional truck drivers and they know their routes. He also commented there are signs that state where the truck route is.

Bekkedahl commented the fines and signs are starting to shift some of the trucks back to the truck route.

12. New Business

Kautzman acknowledged that even though it was attempted to advertise for a public hearing for the next meeting, that will have to be delayed until August 9th. There are issues between the paper and the Auditor's office in terms of actually getting public notices advertised at the right time.

13. Executive Session

14. Adjourn

MOTION BY BEKKEDAHL, 2ND BY BOGAR to adjourn.