

## Official Proceedings

April 3, 2007  
8:00 am

Chairman Duane Wolf called the meeting of the Stark County Board of Commissioners to order. All members present.

Chairman Wolf asked for any additions to the agenda. Comm.Nodland added county shop update and Senate Bill 2205. Comm. Willer added courthouse landscaping. Auditor Alice Schulz added pasture lease. Comm. Nodland moved to approve the agenda as amended. Comm. Hoff seconded. All voted Aye and the motion carried.

Comm. Zander moved to approve the minutes from the March 6, 2007, meeting as presented. Comm. Nodland seconded. All voted Aye and the motion carried.

Comm. Nodland moved to accept the accounts payable and supplement as presented. Comm. Willer seconded. Roll call vote. All voted Aye and the motion carried.

**General:** Payroll: \$107,391.37; Bismarck Ramkota: \$150.00; Institute of Local Govt: \$270.00; Ken Zander: \$97.00; ND County Auditors Assoc: \$75.00; SBAND: \$150.00; Culligan Water: \$29.00; Matthew Bender: \$51.00; West Payment Center: \$458.01; SBM Inc: \$611.56; American Insurance: \$50.00; Secretary of State: \$36.00; Comfort Inn: \$300.00; Border States Electric: \$13.57; Braun Distributing: \$29.50; Consolidated Plastics: \$491.92; DJ's Amoco: \$42.52; Electric Sales & Service: \$338.95; Jerome Distributing: \$890.75; Newby's Ace Hardware: \$59.42; One Stop Rental: \$142.00; Runnings Supply: \$38.67; City of Dickinson: \$7,129.11; MDU: \$3,252.94; West Plains Electric: \$201.00; Walmart: \$161.56; NDPers: \$11,234.04; Hardy, Maus & Nordsvan: \$675.00; Kropp Law Office: \$225.00; Fleck's Furniture: \$2,278.29; Gary's Painting: \$95.00; Carol Beckert: \$24.63; Alltel: \$356.53; Consolidated Comm: \$481.18; Qwest: \$487.00; US Postal Service: \$50.00; American Bank Center: \$556.63; Big Sky Supply: \$124.00; Dan's Supermarket: \$41.21; Gaffaney's Floral: \$33.00; Ron Heidt: \$4.17; Pitney Bowes Inc: \$819.00; SW Area Safety Assoc: \$400.00; Dickinson Parks & Rec: \$79.04; T-Rex Conoco: \$341.48; Mary Meyer Corporation: \$433.75; Visa: \$958.85; Belfield Sportsmen Club: \$20.00; Career Services: \$40.00; IPMA-HR: \$320.50; NDACO: \$1,000.00; ND Chapter of APCO: \$60.00; NDPHA: \$10.00; ND Herald: \$307.50; Service Printers: \$158.30; ND Surplus Property: \$15.00; Balco Uniforms Co: \$77.00; Superior Cleaners: \$2.00; Wanner Western Wear: \$211.20; Farmers Union Oil Co Richardton: \$274.36; Parkway Ford Sales: \$28,978.60; Sax Motor Co: \$405.39; ND Dept of Transportation: \$14.00; BP: \$2,193.29; Cenex Fleetcard: \$48.71; Farmers Union Oil of Bis/Man: \$880.37; Hebron Veterinary Clinic: \$23.05; Jay Kuntz: \$60.00; ICOP: \$4,788.80; Kustom Signals Inc: \$2,152.00; LEC Maintenance: \$4,899.27; Brent Pringle: \$57.50; Southwest District Health: \$551.25; Dickinson Press: \$28.98;

**County Road:** Central Mechanical: \$44,986.14; Dickinson Ready Mix: \$472.62; Kadrmass, Lee & Jackson: \$2,044.55; Daryl Kostelecky: \$500.00; Arthur Kostelecky: \$500.00; Interstate Engineering: \$592.40; Alltel: \$174.11; City of Belfield: \$14.36; City of Dickinson: \$36.54; City of Richardton: \$54.90; Consolidated Comm: \$21.80; MDU: \$1,508.46; Qwest: \$49.95; Southwest Water Authority: \$45.29; West Plains Electric: \$976.00; Arc Aid Thrift Store: \$19.17; Braun Distributing: \$29.50; Butler Machinery: \$1,599.46; Carquest Auto Parts: \$202.00; Consolidated Plastics: \$482.05; Dakota Dust-Tex: \$49.95; Dickinson Ready Mix: \$7.00; Dickinson Supply: \$627.31; Don's Filters: \$94.41; Farmers Union Oil Co of South Heart: \$8.38; Hedahls Headquarters: \$132.35; Jerome Distributing: \$68.85; Miller Machine: \$13.45; Napa Quality Auto Parts: \$206.36; Newby's Ace Hardware: \$149.31; Outback Lumber: \$56.84; Praxair: \$83.62; Rummel Auto Wrecking: \$193.80; Runnings Supply: \$1,793.80; SBM Inc: \$98.00; Service

Printers: \$265.05; Steffan's Saw & Bike: \$45.49; Stone Mill Inc: \$4.15; UBC: \$26.46; Western Fire & Safety: \$153.35; Walmart: \$44.04; Basin Hydraulic: \$410.14; Beall Corporation: \$844.87; Belfield Automotive: \$407.97; Dave's Frame & Front End Service: \$50.00; Diamond Truck Equipment: \$8.70; Dickinson Tire Shop: \$2,030.20; Kevin's Auto: \$24.00; Kohler Communications: \$53.50; Len's Midnite Repair: \$254.35; Light & Siren: \$239.95; Parkway Ford Sales: \$12.01; Pump Systems: \$67.34; Ray's Auto Electric: \$493.48; Sax Motor Co: \$1,121.63; Schmidt Repair Inc: \$300.45; Boespflug Trailers: \$89.50; Dakota Filter Supplies: \$338.02; Dakota Farm Equipment: \$58.08; General Steel: \$28.43; JP Steel & Supply: \$880.22; Midwest Auto Glass: \$249.82; West Plains Implement: \$888.63; GA Sadowsky & Son: \$4,349.86; Missouri Valley Petroleum: \$2,094.29; Schaeffer's MFG: \$306.60; Buckman Plumbing: \$400.00; Energy Systems Inc: \$57.10; Kennametal Inc: \$1,427.92; Mid-West Doors: \$1,428.34; West Dakota Oil: \$106.10; Northern Improvement: \$460.00; Lyle Signs Inc: \$142.89; Sure Sign: \$108.00; George Kuchynski: \$13.50; Quality Quick Print: \$39.95; Payroll: \$156.12;

**Highway Tax Distribution:** Payroll: \$63,602.02; NDPers: \$11,693.61;

**Social Welfare:** ND Dept of Human Services: \$8,101.22; Payroll: \$169,973.84; Child Support: \$5,200.76; Social Services: \$13,227.41; NDPers: \$34,463.12;

**County Poor:** ND Dept of Human Services: \$20,415.75;

**IT – Computer/Updates:** Payroll: \$4,000.00; NDPers: \$573.82; American Bank Center: \$306.00; Consolidated Comm: \$198.04; Hewlett Packard: \$2,494.00; Xerox Corporation: \$12.43; Information Technology Dept: \$1,087.20;

**Fair Board:** Stark County Fair Board: \$1,383.80;

**County Jail:** SWMCCC: \$27,873.53;

**Insurance:** American Insurance Center: \$864.61;

**Comp Health:** Blue Cross Blue Shield: \$545.20; NDPers: \$13,528.33;

**VSO Fund:** Payroll: \$5,621.31;

**Social Security:** Internal Revenue Service: \$32.13; American Bank Center: \$24,980.37;

**Advertising:** Dickinson Press: \$183.54; The Richardton Merchant: \$47.25;

**County Agent:** Payroll: \$3,512.47; NDPers: \$250.49; BW Fargo Doublewood Inn: \$205.00; Consolidated Comm: \$154.88; Pitney Bowes Inc: \$189.00; Reliable: \$61.47; SBM Inc: \$52.12; Walmart: \$6.39; Center for 4H Youth: \$25.00; NDSU: \$160.00; NDSU Ext Service: \$165.00;

**Weed Control:** Payroll: \$4,266.53; NDPers: \$670.54; Alltel: \$22.84; Quality Quick Print: \$59.95; Dickinson Press: \$30.36; University of Arizona: \$48.00; NDSU Extension Pesticide: \$65.00; Walmart: \$3.78; American Bank Center: \$102.00;

**9-1-1:** Payroll: \$4,850.03; NDPers: \$1,370.73; American Bank Center: \$345.17; City of Dickinson: \$5,939.58; ND Chapter of APCO: \$120.00; Jolyn Bliss: \$13.10; Radisson Hotel Bismarck: \$330.00; SW Area Safety Assoc: \$80.00; Qwest: \$1,762.88; Consolidated Comm: \$541.00; Reservation Telephone: \$80.00; Electronic Communications: \$165.00;

**Adult Education:** Cole Papers Inc: \$151.54; Dakota Diner: \$1,174.90; NDSU Extension Pesticide Prog: \$770.00; NDSU Extension Service: \$160.00; Reliable: \$87.45; SBM Inc: \$15.70; Sodexo Inc: \$230.49; Walmart: \$38.10;

**Domestic Violence:** State Treasurer: \$280.00;

**Northland Project Grant:** West Dakota Parent: \$84.00;

**Juvenile Alcohol Grant #2200:** Payroll: \$622.08;

**Traf Safety Grant:** Payroll: \$4,583.96; BP Amoco: \$358.50;

**Homeland Security Grant:** Payroll: \$392.00; American Bank Center: \$29.98; Institute of Local Govt: \$1,680.51; SBM Inc: \$112.53; Domino's: \$57.24; ICOP: \$4,788.80;

**Game & Fish:** ND Game & Fish Dept: \$10,508.00;

**Security/Transfer DJS:** Payroll: \$472.82;

**LEC Financial Officer:** Payroll: \$4,100.67; American Bank Center: \$305.38; NDPers: \$373.98;

**SW Victim Witness:** Comfort Suites: \$100.00; SBM Inc: \$32.05; Alltel: \$91.72; City of Dickinson: \$.12; Consolidated Comm: \$9.45; Payroll: \$2,758.85; American Bank Center: \$203.43; NDPers: \$460.62; Linda Presler: \$177.74;

**Domestic Violence Rape Crisis Center:** Domestic Violence: \$586.50;

**Preservation Fund:** NDACO: \$40.00;

**State Reimbursement:** Shane Walz: \$25.00; Keith Hinnenkamp: \$110.50; Jason Brower: \$25.00; Jay Kuntz: \$25.00; Todd Krehlik: \$25.00; Parke Little: \$25.00;

**Siren Contingency:** Denny's Electric: \$956.35;

**Other Reimbursements:** Balco Uniform Center: \$77.00; ND Division of Community Services: \$17,187.41; Visa: \$31.95; Consolidated Comm: \$137.32;

**Judgment Execution Fund:** Tim Darnell: \$419.00; Stark County Sheriff's Dept: \$268.50; Credit Collections: \$459.00;

**BCI-Task Force:** Payroll: \$2,845.05; American Bank Center: \$217.35; NDPers: \$473.89;

**911 Equipment Fund:** Consolidated Comm: \$75.00;

**911 Wireless Fee:** NDACO: \$4,542.21; Verizon Wireless: \$35.02;

Gary Kostelecky, Emergency Management, presented mutual aid agreements. Comm. Nodland moved to authorize the Chairman to sign the eight additional mutual aid agreements. Comm. Willer seconded. All voted Aye and the motion carried. Comm. Nodland moved to amend the previous motion to include all mutual aid agreements in the Southwest Region. Comm. Hoff seconded. All voted Aye and the motion carried.

Comm. Zander moved to approve the \$75.00 donation to the Research Center for the 31<sup>st</sup> annual Agriculture Barbecue. Comm. Nodland seconded. All voted Aye and the motion carried.

Comm. Nodland moved to authorize the Chairman sign the Energy Impact Grant reimbursement request for gravel. Comm. Hoff seconded. All voted Aye and the motion carried.

Comm. Hoff presented an agreement to allow North Dakota Game & Fish to do an embankment project on Mike Wolf's property. A section line will need to be closed. Discussion was held. It was the consensus of the Board to not sign the agreement. Comm. Hoff was directed to forward the information on to Mr. Wolf.

Sheriff Clarence Tuhy presented a grant application. Comm. Hoff moved to authorize the Chairman sign the Department of Transportation Seat Belt Grant application. Comm. Nodland seconded. All voted Aye and the motion carried.

Comm. Nodland moved to authorize the Chairman sign the agreement with Southwest Water for the Fryburg pipeline project. Comm. Hoff seconded. All voted Aye and the motion carried.

Auditor Alice Schulz suggested individual commissioners giving a brief review of the boards & committees they serve on, to keep everyone informed of what's happening. It was the consensus of the Board to have it on the agenda every month in the event someone has something they would like to share.

Auditor Alice Schulz presented a request from the county extension office to host a retirement open house and purchase a gift for Dolores Roy who is retiring. Dolores position is federally funded and has been with the county extension office for 18 years. It was the consensus of the Board to allow the gift and retirement open house.

Comm. Nodland gave an update on a request from Ann Perfett to change zoning from agriculture to residential/agriculture on a 2.6 acre tract. Previously the Zoning Board had recommended denying her request. Ann has now met the utility requirements and other concerns that the Zoning Board had. Comm. Nodland moved to accept Ann Perfett's request to change zoning from agriculture to residential/agriculture on a 2.6 acre tract in the SW4SW4 of Section 13-138-96 and SE4SE4 of Section 14-138-96. Comm. Hoff seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Zander moved to authorize the Chairman sign a letter urging the Governor's signature on Senate Bill 2205. Comm. Willer seconded. All voted Aye and the motion carried.

Comm. Nodland gave a financial update on the county shop. He is confident the project will stay within budget.

Al Heiser, Road Superintendent, gave an update on road projects. Al recommended adopting a policy to require a permit to put in an approach. The permit could be posted on the website. Comm. Nodland moved to adopt the policy to require a permit to put in an approach. Comm. Zander seconded. Roll call vote. All voted Aye and the motion carried.

Al Heiser also presented a request from Ray Sand Jr. to plant trees 75 feet from roadway by his property south of Dickinson. Currently the policy states trees should be planted 150 feet from roadway. Soil Conservation requires a letter authorizing the planting if plan deviates from policy. Comm. Willer moved to grant a variance from our tree planting policy to Ray Sand Jr. if he completes an application. Comm. Nodland seconded. All voted Aye and the motion carried.

Al Heiser explained the courthouse landscaping project they are planning for this year. The plan is to pull the grass out in the boulevard and put in something low maintenance. It was the consensus of the board to do what needs to be done.

Greg Ficek, Kadrmas, Lee & Jackson, representing the City of Dickinson, presented the Landfill Forcemain Project, in which the City is requesting permission to cross the county right of way to lay a four inch PVC pipeline 2 ½ to 3 feet deep. Comm. Nodland requested Tom Henning, States Attorney, review all documents, and get signatures from Larry Schnell and Arnie Binek, property owners who would also be involved. It was the consensus of the Board to get all the paperwork done and bring back to a future meeting.

Bid opening for hay land located in State Addition was held. Bids were received from Randy and Jeff Hondl for \$15.00 per bale and Lester Dvorak for \$7.00 per bale. Comm. Hoff moved to accept the bid from Randy and Jeff Hondl. Comm. Zander seconded. Roll call vote. All voted Aye and the motion carried. Bid was based on a 1,000 pound bale.

Greg Sund, City of Dickinson, expressed interest in the land adjacent and to the north of the county shop for a future public works shop. Discussion was held. In the near future we need to come up with acres needed to be retained for county growth, acres needed for Fair Association project and acres needed by the city. Comm. Zander suggested forming a committee consisting of representatives from Fair Association, County and City to come up with a plan. Greg Sund offered to have the meeting at city hall and use the CAD system.

Tim Kelly, Kadrmas, Lee & Jackson, gave the engineers report. Tim also reported he has not heard from the Department of Transportation on the West Business Loop speed limit.

Comm. Nodland moved to authorize the Chairman sign the pasture lease with Dean Karsky. Comm. Willer seconded. All voted Aye and the motion carried.

Diane Brines, Tax Director, requested further direction on what the commission wants appraised in State Addition. There are four developed lots left and undeveloped land that is plotted in lots and blocks. Comm. Hoff moved to have the four lots appraised separately. Comm. Nodland seconded. Roll call vote. All voted Nye and the motion died.

The cost of having a reappraisal done versus increasing the value on the lots was discussed. Comm. Nodland moved to raise the price to \$1.15 a square foot on the developed lots. Comm. Zander seconded. Roll call vote. Comm. Nodland Aye. Comm. Hoff Aye. Comm. Willer Nye. Comm. Zander Nye. Chairman Wolf Aye. The motion carried.

Discussion was held on how we proceed with selling the undeveloped lots. It was the consensus of the Board to avoid selling individual lots, and if an offer is received an auction would be set up.

Diane Brines, Tax Director, presented a proposal from Vanguard Appraisals to do an appraisal on the Red Trail ethanol plant, since a portion of the plant becomes taxable in 2008. No action taken.

The board recessed for the Stark County Park Board meeting.

The board reconvened.

Comm. Zander moved to approve summer hours from May 21, 2007 to August 31, 2007 to be Monday thru Thursday 7:30 am to 5:30 pm and Friday 7:30 am to Noon. Comm. Nodland seconded. All voted Aye and the motion carried.

Kurt Froelich, Fair Association, inquired to who their contact person on the commission would be. Chairman Wolf appointed Comm. Willer as the contact person.

The following **Miscellaneous Receipts** were filed: General: \$136,421.86; 10 Mill: \$12,268.65; County Road: \$70,926.21; Highway Tax Distribution: \$148,500.43; Special Road & Bridge: \$3,686.05; Social Services: \$83,701.60; County Poor: \$51,333.60; Information Technology: \$1,988.39; County Park: \$7,318.94; County Jail: \$9,359.67; Insurance: \$39,004.05; Comp Health: \$5,113.49; Emergency: \$1,228.68; Veterans Service Office: \$1,626.20; Social Security: \$15,391.32; Advertising: \$632.41; County Agent: \$2,919.66; Weed Control: \$15,915.18; 911 Revenue: \$18,983.23; Adult Education: \$807.00; Asset Forfeiture: \$700.00; Finger Print Station: \$104.00; Domestic Violence: \$70.00; Traf Safety Grant: \$4,345.64; Estimate Tax: \$4,862.75; Game and Fish: \$2,896.00; Security/Transfer DJS Reimb: \$472.82; LEC Financial Officer: \$4,780.03; SW Victim Witness: \$6,897.12; DVRCC: \$586.50; Preservation Fee: \$1,152.00; Other Reimbursements: \$137.12; Judgment Execution Fund: \$1,481.50; 911 Equipment: \$3,504.16; 911 Wireless Fee: \$2,822.02;

Comm. Zander moved to adjourn meeting. Comm. Nodland seconded.

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Alice Schulz, Auditor

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Duane A. Wolf, Chairman