

Official Proceedings

April 2, 2013

8:00 am

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

Chairman Zander asked for any additions or deletions to the agenda. Auditor Kay Haag added IT, Comm. Hoff added Zoning and States Attorney Tom Henning added Office Remodel. Comm. Wolf moved to approve the agenda with the additions. Comm. Elkin seconded. All voted Aye and the motion carried.

Comm. Kuntz moved to approve the minutes from the March 5, 2013. Comm. Wolf seconded. All voted Aye and the motion carried.

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

General: Payroll: \$189,914.66; NDPers: \$27,368.59; ND Treasurer's Association: \$50.00; Jackie Simmers: \$201.00; Jen Kadrmas: \$232.00; State's Attorney Association: \$600.00; State Bar Association: \$285.00; West Payment Center: \$628.19; Dakota Water Treatment: \$31.50; Matthew Bender & Association: \$60.94; Newby's Ace Hardware: \$17.56; SBM Inc: \$652.13; Xerox Corporation: \$569.71; Thos Y Pickett & CO Inc: \$9,000.00; Maintenance Management: \$400.00; Consolidated: \$942.26; MDU: \$3,347.28; Roughrider Electric: \$153.68; Southwest Water: \$44.05; Berger Electric: \$206.25; Braun Distributing: \$320.41; D & E Supply Company: \$55.27; NW Iron Fireman: \$767.40; Rudy's Lock & Key: \$170.00; City of Dickinson: \$11,760.69; Maus & Nordsvan: \$677.00; Ottmar & Ottmar: \$112.50; Sandness Law Office: \$90.00; Stutsman County: \$150.00; Wex Bank: \$739.06; Farmers Union Oil Bis/Man: \$2,062.64; Cenex Fleetcard: \$8,181.23; AT&T Mobility: \$996.52; Century Link: \$487.00; Pitney Bowes: \$888.60; Zuger Kirmis & Smith: \$92.50; Dickinson Parks: \$52.00; T-Rex Conoco Inc: \$585.23; Comfort Inn: \$681.00; Inmate Services: \$700.00; ND Sheriff's & Deputy's Association: \$200.00; Post Board: \$90.00; Minot Police Department: \$200.00; Rudy's Lock & Key: \$42.00; Walmart: \$407.79; Advanced Business Machines: \$198.41; Balco Uniforms: \$119.08; Uniform Center: \$102.00; Dickinson Tire: \$133.27; Sure Sign: \$2,160.00; ND Dept of Transportation: \$6.50; Farmers Union Oil Richardton: \$252.87; Visa: \$135.18; Chief Supply Corporation: \$93.72; Copquest Inc: \$779.70; Kohler Communications: \$397.00; R&J Communication: \$100.00; Parkway Ford Sales: \$8,800.00; Ultramax: \$936.00; LEC Maintenance: \$16,262.86; Stark County Auditor (Federal Deposit): \$549.86; Verizon Wireless: \$40.01; Dell Marketing LP: \$119.81; NDACO Resources: \$106.65; Dickinson Press: \$18.25;

County Road: Kadrmas Lee & Jackson: \$69,543.60; Jurgens Trucking: \$3,047.50; United Truck & Equipment: \$41,500.00; AT&T: \$193.17; City of Belfield: \$22.25; City of Dickinson: \$83.61; City of Richardton: \$54.90; Consolidated: \$45.42; MDU: \$1,373.42; Roughrider Electric: \$1,742.00; Southwest Water: \$48.41; Century Link:

\$56.44; ACME Electric Company: \$548.00; Belfield Automotive: \$12.72; Border States Electric: \$285.12; Bosch Lumber Company: \$158.47; Dickinson Supply: \$257.78; Gerry Dukart: \$13.36; Hedahls Headquarters: \$263.85; Jerome Distributing: \$44.20; Lenny's Repair: \$29.80; Mac's Inc: \$401.73; Matco Tools: \$861.35; Runnings Supply: \$1,702.29; SBM Inc: \$26.27; Total Safety US: \$654.51; US Postal Service: \$19.95; WalMart: \$157.02; Carquest Auto Parts: \$104.37; Certified Power Inc: \$59.06; Charbonneau Car Center: \$1,079.50; CR Auto Glass: \$12.00; DTE Truck Equipment: \$19.90; George's Tire Shop: \$2,131.00; J & J Operating: \$193.31; Kohler Communication: \$203.60; Krebs Machine & Repair: \$421.28; Nelson International: \$1,915.65; Performance Truck Center: \$13.18; Wallwork Truck Center: \$216.67; Butler Machinery: \$347.06; Capital I Industries: \$876.45; Dakota Farm Equipment: \$194.95; Dakota Filter Supply: \$75.80; G A Sadowsky & Son: \$118.45; RDO Equipment Company: \$683.31; Swanston Equipment: \$81.78; CRA Payment Center: \$247.28; Southwest Grain: \$21,376.02; Berger Electric: \$1,774.06; JP Steel & Supply: \$161.68; Mid-West Doors: \$114.52; Newby's Ace Hardware: \$73.80; Prairie Auto Parts: \$112.31; Praxair: \$588.06; Probuild: \$15.96; Quest Engineering: \$398.05; West Dakota Oil: \$382.13; Kris Engineering: \$1,216.86; Fisher Sand & Gravel: \$689,397.40; Northern Improvement: \$4,097.66; CHS Inc by Products: \$21,219.75; Lyle Signs Inc: \$842.56; AED Everywhere: \$1,969.00; Coca – Cola Bottling Company: \$72.00; Dickinson Press: \$248.93; Logo Magic Inc: \$383.00; Maintenance Management: \$160.00; Mulligan's Catering: \$344.14; ND Supreme Court: \$125.00;

Highway Tax Distribution: Payroll: \$88,804.23; NDPers: \$22,912.40;

Social Welfare: Payroll: \$164,348.05; NDPers: \$39,600.63; SW District Health Unit: \$25.00; Wrap Around Checks: \$738.60; ND Dept of Human Services: \$4,093.44; Emil Berard: \$360.00; Braun Distributing: \$174.25; City of Dickinson: \$197.93; Comfort Suites: \$621.00; Consolidated: \$802.43; DJ's Tesoro: \$41.09; Bertie Gustafson: \$600.00; MDU: \$1,054.62; Monica Sandmeier: \$89.77; Diane Mortenson: \$107.28; Newby's Ace Hardware: \$31.96; Pitney Bowes Inc: \$258.09; Quality Quick Print: \$131.05; Record Keepers: \$18.00; Rimrock Trailways: \$137.50; SBM Inc: \$1,602.02; Stevenson Funeral Homes: \$1,950.00; Sunrise Youth Bureau: \$6,761.25; WalMart: \$83.91; Ward County Social Services Board: \$191.25; West Dakota Parent and Resource Center: \$50.00; AT&T Mobility: \$69.95;

County Poor: ND Dept of Human Services: \$35,163.34;

IT – Computer/Updates: NDACO Resources: \$11,746.43; Consolidated: \$257.90; Dell Marketing LP: \$947.04; Hewlett Packard: \$1,144.00; Information Technology Dept: \$582.00;

Infrastructure: Dickinson School District: \$22,968.75;

Fair Board: Stark County Fair Board: \$2,919.33;

County Jail: SWMCCC: \$69,518.20; St Joseph's Hospital: \$99.00;

Insurance Reserve: American Insurance Center: \$292.00;

Comp Health Care: NDPers: \$24,769.44; Blue Cross Blue Shield: \$189.40;

VSO Fund: Payroll: \$7,423.92; SBM Inc: \$76.57; Xerox Corporation: \$40.96;

Social Security: Stark County Auditor (Federal Deposit): \$32,916.72;

Advertising: Dickinson Press: \$196.37;

County Agent: Payroll: \$4,220.67; NDPers: \$449.67; NDSU Extension Service: \$26,811.60; Kurt Froelich: \$710.36; Stark/ Billings 4-H Council: \$725.19; Samantha Roth: \$35.00; Consolidated: \$173.19; Advanced Business Machine: \$545.31; HDFS – NDSU Extension Service: \$25.00; Gayle Pender Dukart: \$100.00;

Weed Control: Payroll: \$9,834.82; NDPers: \$2,410.17; Dickinson Press: \$33.58; Dultmeier Sales: \$230.78; Runnings Supply: \$81.02; WalMart: \$60.57; Stark County Auditor (Federal Deposit): \$219.35;

9-1-1: Payroll: \$4,397.53; NDPers: \$1,478.09; Stark County Auditor (Federal Deposit): \$312.42; City of Dickinson: \$10,806.25; Century Link: \$1,632.50; Consolidated: \$529.00; Reservation telephone: \$80.00;

Adult Education: Kurt Froelich: \$7.98; NDSU Extension Pesticide Program: \$882.00;

Domestic Violence: State Treasurer: \$245.00;

Saturation Patrol Grant: Payroll: \$2,952.62;

Cops Grant 2011: Jason Wallace: \$4,045.50; NDPers: \$967.44; Stark County Auditor (Federal Deposit): \$309.48;

Cops Grant 2009: NDPers: \$342.40;

Misc. Grants: Dickinson Ambulance: \$68,173.00;

SW Victim Witness Program: Payroll: \$4,736.22; NDPers: \$970.14; AT&T Mobility: \$86.63; Consolidated: \$39.64; Stark County Auditor (Federal Deposit): \$346.93; Verizon Wireless: \$40.01;

DVRCC: Domestic Violence: \$705.00;

Preservation Fund: Consolidated: \$59.95;

State Reimbursements: Vince Ficek: \$27.26; Jesse L Hoff: \$25.00; Frances Schmidt: \$403.00; Kristin F Fehr: \$25.00;

Siren Contingency: Roughrider Electric: \$258.00;

Other Reimbursements: Dultmeier Sales: \$165.70; Runnings Supply; \$756.13; Consolidated: \$182.00; Pharmchem Inc: \$1,342.00; Office of Attorney General: \$1,945.00; Walmart: \$171.43;

Judgment Execution: Stark County Sheriff's Department: \$140.00; Credit Collections Bureau: \$346.55; State Board of Labor Commission: \$397.38;

911 Equipment: Consolidated: \$57.12; Visa: \$84.00;

Sheriff Clarence Tuhy presented the Sheriff's Department monthly report.

Sheriff Clarence Tuhy reported three additional deputies would be needed for courtroom security and a full time truck regulatory person. Ralph Mowder, Court Administrator Liasion, will present a vulnerability study at the May meeting for court house security.

Al Heiser, Road Superintendent, gave update on the Road Department and load restrictions.

Al Heiser, Road Superintendent, reported MDU requested to reduce and post a 35 MPH speed limit sign, consisting of about 1 ½ miles, on 39th Avenue SW from 116th Avenue SW for the diesel refinery. Comm. Elkin moved to reduce and post a 35MPH speed limit sign on 39th Avenue SW. Comm. Kuntz seconded. All voted Aye and the motion carried.

Shirley Meyer introduced herself as the Western Senate Service Representative for Senator Heidi Heitkamp.

Comm. Wolf moved to appoint Alan Kadrmas to the Stark County Housing Authority Board for a five year term. Comm. Elkin seconded. All voted Aye and the motion carried.

Tim Kelly, Kadrmas, Lee & Jackson, gave the engineers report and discussed the approval for federal aid from the ND Department of Transportation. Also, the ND Department of Transportation requested a copy of the Stark County proposed Mill Levy Program.

Comm. Wolf moved to authorize Chairman Zander to sign the Resolution for Projects SU-5-983(051)051, SC-4511(057) and SC-4510(064). Low bidder was Asphalt Surface Technologies Corp. in the amount of \$932,453.59. Comm. Elkin seconded. All voted Aye and the motion carried.

Bid opening was held for hot bituminous pavement. One bid was submitted by Northern Improvement Company. Comm. Kuntz moved to accept the bid from Northern Improvement Company and put on file. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

Bid opening was held for the South Heart Road Project. The following bids were submitted:

Martin Construction	\$6,321,000.00
Park Construction Company	\$7,181,933.07
Central Specialties, Inc.	\$7,939,021.35
Border States Paving	\$8,473,464.00
Northern Improvement Company	\$7,732,740.10

Comm. Hoff moved to award Martin Construction, the low bidder, project CP-4511(12)01 and CP-0045(12)02. Comm. Elkin seconded. All voted Aye and the motion carried.

Mandy Heiser, Maryville Subdivision, requested direction in regards to having the roads in Maryville Subdivision paved. The roads in Maryville Subdivision are not part of the Stark County road system. The Commission advised Mandy Heiser that the developers and landowners research the paving of Maryville Subdivision.

Comm. Elkin moved to approve the renewal of a Conditional Use Permit for Norwegian Creek. Comm. Hoff seconded. All voted Aye and the motion carried.

State's Attorney Tom Henning discussed and requested direction regarding office remodeling for an additional desk due to the courts needs for e-filing. The Commission directed State's Attorney Tom Henning to coordinate this effort with Comm. Kuntz.

Bill Fahlsing, Emergency Manger/9-1-1 Coordinator, discussed an on-site IT support technician to work in conjunction with NRG Technologies. Stark County partnering with the City of Dickinson through a Joint Powers Agreement for a full-time support position was discussed as an option. The Commission advised Bill Fahlsing to have conversation with the City of Dickinson before the next budget process.

Comm. Hoff presented a recommendation from the Zoning Board to approve a Conditional Use Permit for gravel pits, crushing and stockpiling in Section 4 Township 138, Range 91 containing approximately 638.78 acres for Aggregates Unlimited, LLC.

Comm. Hoff moved to approve the Conditional Use Permit for gravel pits, crushing and stockpiling in Section 4 Township 138, Range 91 containing approximately 638.78 acres for Aggregates Unlimited, LLC. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Hoff presented a recommendation from the Zoning Board to approve a zoning change from Agricultural to Rural Residential following the staff recommendations for April Tormaschy.

Comm. Hoff moved to approve the zoning change from Agricultural to Rural Residential following the staff recommendations for April Tormaschy. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Hoff presented a denial from the Zoning Board for a Conditional Use Permit for gravel pits, crushing and stockpiling in Section 20, Township 139, Range 94 containing approximately 155.39 acres for Knife River Corporation-North Central.

Comm. Elkin moved to deny the Conditional Use Permit for gravel pits, crushing and stockpiling in Section 20, Township 139, Range 94 containing approximately 155.39 acres was made by Knife River Corporation-North Central. Comm. Wolf seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Hoff presented a recommendation from the Zoning Board to approve a Minor Subdivision of the rearrangement of Lots 3, 5, and 6 in the Norwegian Creek Subdivision, Section 16, Township 139, Range 99 for Boyd and Sons Construction, LLC.

Comm. Hoff moved to approve the Minor Subdivision of the rearrangement of Lots 3, 5, and 6 in the Norwegian Creek Subdivision, Section 16, Township 139, Range 99 for Boyd and Sons Construction, LLC. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Hoff presented a recommendation from the Zoning Board a preliminary plat, First Replat of the Norwegian Creek Subdivision, Lots 3, 5, 6, 8, 9 and 11-13 Section 16, Township 139, Range 99 was made by Boyd and Sons Construction, LLC.

Comm. Elkin moved to approve the preliminary plat, First Replat of the Norwegian Creek Subdivision, Lots 3, 5, 6, 8, 9 and 11-13 Section 16, Township 139, Range 99 was made by Boyd and Sons Construction, LLC. Comm. Hoff seconded. Roll call vote. All voted Aye and the motion carried.

The following **Miscellaneous Receipts** were filed: General: \$304,060.23; 10 Mill: \$27,669.69; County Road: \$158,420.31; Highway Tax Distribution: \$246,416.63; Special Road & Bridge: \$8,313.13; Social Services: \$60,334.78; County Poor: \$115,772.62; IT-Computer/Updates: \$130.80; Capital Improvement: \$31,683.87; Infrastructure: \$87,771.15; County Park: \$2,880.53; County Jail: \$21,108.84; Insurance: \$28,506.13; Comp Health: \$11,532.43; Emergency: \$2,771.04; VSO: \$3,667.56; Social Security: \$26,587.63; Advertising: \$1,426.27; County Agent: \$6,438.60; Weed Control: \$11,091.78; 911 Revenue: \$27,560.12; Adult Education: \$1,975.00; Fingerprint Station: \$56.00; Domestic Violence: \$735.00; Saturation Patrol Grant: \$2,952.62; Cops Grant 2011: \$17,153.82; Cops Grant 2009: \$15,464.89; Misc. Grants: \$69,944.00; Estimate Tax: \$3,693.42; Game and Fish: \$1,288.00; SW Victim Witness Program: \$1,920.00; Domestic Violence & Rape Crisis Center: \$705.00; Preservation Fee: \$2,988.00; State Reimbursement: \$483.20; Other Reimbursements: \$5,181.50; Judgment Execution: \$883.93; 911 Equipment: \$4,863.53;

Comm. Wolf moved to adjourn. Comm. Kuntz seconded.

Kay Haag, Auditor

Ken Zander, Chairman