

Official Proceedings

February 4, 2014
8:00 am

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

Chairman Hoff asked for any additions or deletions to the agenda. Chairman Hoff added Jon Cameron with Senator Hoeven's office. Auditor Kay Haag added Temporary Employee Policy. Comm. Elkin moved to approve the agenda with the additions. Comm. Zander seconded. All voted Aye and the motion carried.

Comm. Zander moved to approve the minutes with two corrections regarding nominations and Chairman Hoff's title as Chairman from the January 4, 2014 meeting. Comm. Wolf seconded. Roll call vote. All voted Aye and the motion carried.

Accounts Payable was presented with the supplement. Comm. Elkin questioned the Bowman radar charge to Emergency Services. Emergency Services Director Bill Fahlsing reported it was for the access and maintenance cost paid on a yearly basis. Comm. Elkin questioned if the radar was necessary. Director Bill Fahlsing reported the Bowman radar is more accurate to Southwest North Dakota than the Bismarck radar. Director Bill Fahlsing was questioned regarding a payment to the Dickinson Press for hazardous chemical, which was the cost for publishing the tier two reports on file for public review. Road Superintendent Al Heiser was questioned regarding an equipment bill. Comm. Kuntz moved to accept the accounts payable as presented plus the supplement. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

General: Payroll: \$227,529.50; Visa: \$779.27; Thomas Gehrz: \$156.10; Tom Henning: \$280.70; Radisson Hotel Bismarck: \$162.84; Bureau of Governmental Affairs: \$22.00; West Payment Center: \$655.38; Dakota Water Treatment: \$32.75; SBM Inc: \$1,293.33; Kathy Schwab: \$52.50; Rocky Mountain Oil Journal: \$259.00; Spectra Association: \$103.95; Xerox Corporation: \$958.50; Thos Y Pickett & Co: \$16,750.00; Brightside Services: \$470.00; Runnings Supply: \$59.95; Consolidated: \$390.54; MDU: \$3,839.29; Roughrider Electric Coop: \$381.96; Southwest Water Authority: \$40.53; Berger Electric: \$108.75; Border States Electric: \$2.03; Braun Distributing: \$282.90; ETSystems Inc: \$218.00; Newby's Ace Hardware: \$165.99; Quality Xterminators: \$120.00; City of Dickinson: \$12,252.06; Walmart: \$698.65; Village Family Services: \$2,070.00; NDPers: \$35,894.66; Sandness Law Offices: \$112.50; Stutsman Co State's Attorney: \$19.00; Cenex Fleetcard: \$8,194.63; Farmers Union Oil of Bis/Man: \$1,193.45; Wex Bank: \$537.60; Dickinson Heating & Air: \$255.38; Quality Xterminators: \$60.00; Presort Plus: \$6,326.96; US Postal Service: \$69.60; Century Link: \$487.00; AT&T Mobility: \$1,507.75; Great Plains Directory: \$234.50; Office Max Inc: \$374.28; ND Youth Correction Center: \$371.70; City of Belfield: \$825.00; Dickinson Parks & Rec: \$62.40; T-Rex Conoco Inc: \$370.00; ND State Radio Communications: \$756.00; Comfort Inn: \$44.00; Lorman Education: \$23.90; NDACO: \$620.00; ND Fraternal Order of Police:

\$480.00; ND Post Board: \$25.00; Great Plains Clinic: \$203.00; ND Secretary of State: \$36.00; UPS: \$4.60; Advanced Business Methods: \$6,255.27; Electronic Communications: \$1,590.50; R & J Communications: \$200.00; Sax Motor Co: \$622.58; Farmers Union Oil of Richardton: \$292.00; Terry Fleck: \$30.00; State Ave Vet Clinic: \$285.75; Chief Law Enforcement: \$714.23; Taser International: \$484.31; Brownells Inc: \$21.63; Uniform Center: \$116.90; LEC Maintenance: \$12,029.92; Stevenson Funeral Home: \$300.00; Dennis E Wolf MD: \$4,550.00; Stark County Auditor (Federal Deposit): \$874.06; Verizon Wireless: \$90.41; Professional Printing: \$24.50; ND Atmospheric Resource Board: \$4,000.00; NDACO Resources: \$117.67; Belfield Ambulance Service: \$5,000.00; Dickinson Ambulance Service: \$10,000.00; Richardton-Taylor Ambulance Service: \$6,000.00; SW District Health: \$750.00; Dickinson Press: \$138.32;

10 Mill: ND Dept of Transportation: \$64,102.03;

County Road: Hlebechuk Construction: \$2,290.00; Butler Machinery: \$8,121.31; Capital Industries: \$11,700.00; Quality Xterminators: \$60.00; City of Belfield: \$27.25; City of Dickinson: \$454.35; Consolidated: \$47.45; MDU: \$2,142.43; Roughrider Electric: \$1,686.00; Southwest Water Authority: \$60.40; AT&T Mobility: \$109.18; Century Link: \$56.32; City of Richardton: \$54.90; ACME Electric Co: \$110.00; Boespflug Trailers: \$108.00; Braun Distributing: \$63.33; Dakota Signwerks: \$24.00; Dickinson Supply: \$876.88; Energy Systems Inc: \$391.55; Fastenal Company: \$23.86; Hedahls Headquarters: \$390.71; JP Steel & Supply: \$317.12; Laker Chemical Inc: \$263.00; Mac's Inc: \$179.50; Matco Tools: \$293.60; Newby's Ace Hardware: \$673.69; Rummel Auto Wrecking: \$327.20; Runnings Supply: \$838.60; Sherwin-Williams: \$21.97; West Dakota Oil: \$3,716.76; Walmart: \$117.72; Dakota Filter Supply: \$400.75; J & J Operating: \$605.41; Just In Glass: \$879.66; Nelson International: \$434.62; NW Tire: \$9,858.83; Performance Truck Center: \$47.19; Prairie Auto Parts: \$136.18; Ray's Auto Electric: \$58.02; Trucks of Bismarck: \$516.56; Wallwork Truck Center: \$552.11; Westlie Truck Center: \$2,792.25; Dakota Farm Equipment: \$661.86; Dakota Tool & Machine: \$108.00; ESCO Supply: \$4,131.00; General Steel: \$74.61; George's Tire Shop: \$4,560.00; Lenny's Repair: \$234.05; RDO Equipment: \$183.19; Stone Mill Inc: \$82.65; Titan Machinery: \$450.80; West Plains Inc: \$1,542.86; Al Heiser: \$122.11; Southwest Grain: \$53,578.68; Border States Electric: \$241.40; General Steel: \$40.15; Praxair: \$283.07; Pump Systems Inc: \$30.71; Total Safety US: \$763.85; Val's Sanitation: \$650.00; Visa: \$296.96; Fisher Sand & Gravel: \$1,280.64; Laker Chemical Inc: \$1,380.00; Brightside Services: \$200.00; Dickinson Press: \$344.28; Martin Construction: \$134,277.60;

Highway Tax Distribution: Payroll: \$92,180.04; NDPers: \$26,804.24; Job Service North Dakota: \$1,005.00; Dale Christman: \$45.50; Al Heiser: \$250.70; NDACO: \$48.19; Visa: \$83.00;

Social Welfare: American Insurance Center: \$50.00; ND Dept of Human Services: \$1,814.66; Payroll: \$181,628.14; NDPers: \$48,631.53; ND Secretary of State: \$36.00; Wrap Around Checks: \$876.48; Braun Distributing: \$349.47; City of Dickinson: \$222.48; Comfort Suites: \$370.00; Consolidated: \$1,194.95; Dell Marketing LLC:

\$236.44; Bertie Gustafson: \$650.00; MDU: \$1,161.41; Newby's Ace Hardware: \$508.44; Quality Xterminators: \$80.00; Record Keepers: \$32.00; SBM Inc: \$366.97; The UPS Store: \$21.29; Visa: \$838.72; Walmart: \$97.25;

County Poor: ND Dept of Human Services: \$31,452.54;

IT-Computer/Updates: NDACO Resources: \$14,893.76; Consolidated: \$269.26; Dell Marketing LLC: \$2,626.80; Hewlett-Packard: \$11,244.27; Information Technology Dept: \$880.00; Xerox Corporation: \$187.34; Zuercher Technologies: \$337.50;

Capital Improvement: Consolidated: \$778.86; Zeller Construction: \$16,783.84; Dickinson TR Regional Airport: \$15,000.00; Richardton Health Center Inc: \$20,000.00;

County Park: Stark County Historical Society: \$25,000.00;

Fair Board: Stark County Fair Board: \$12,047.62;

County Jail: Burleigh County Detention Center: \$260.00; SWMCCC: \$99,431.97; Sunrise Youth Bureau: \$92,700.00; Billings County: \$25,000.00;

Comp Health Care: NDPers: \$33,831.04; Blue Cross Blue Shield: \$414.80;

VSO Fund: Payroll: \$8,512.49; SBM Inc: \$27.49; Consolidated: \$27.62; Verizon Wireless: \$40.17; Xerox Corporation: \$68.73;

Social Security: Stark County Auditor (Federal Deposit): \$36,749.36;

Advertising: SW Community Service: \$8,700.00; Eric Maas: \$455.00; Domestic Violence: \$5,000.00; Best Friends Mentoring Program: \$20,000.00; SW Coalition of Safe Community: \$26,787.00;

County Agent: Payroll: \$4,162.61; NDPers: \$509.33; CMRS-PB: \$975.00; Dickinson Area Chamber of Commerce: \$254.33; Kurt Froelich: \$35.00; Samantha Roth: \$35.00; Consolidated: \$157.28; NDSU: \$194.00; SBM Inc: \$64.00; Xerox Corporation: \$154.44; Pitney Bowes: \$277.02;

Weed Control: Payroll: \$10,264.19; NDPers: \$2,847.28; ND Weed Control: \$275.00; Runnings Supply: \$90.98; NDSU Extension Pesticide Program: \$270.00; Stark County Auditor (Federal Deposit): \$231.25;

9-1-1: Payroll: \$4,813.52; NDPers: \$1,725.48; Stark County Auditor (Federal Deposit): \$342.38; City of Dickinson: \$11,275.83; Century Link: \$1,614.96; Consolidated: \$425.00; NDACO: \$13,535.93;

Adult Education: Ag Communication: \$160.00; Elks 1137: \$210.20;

Domestic Violence: State Treasurer: \$560.00;

Traf Safety Grant: Payroll: \$2,010.61;

Oil Impact Grant: Payroll: \$1,695.27; Stark County Auditor (Federal Deposit): \$128.63;

NDBCI-Oil 3518 Grant: Uniform Center: \$1,052.10;

Cops Grant 2011: Payroll: \$4,392.16; NDPers: \$1,101.59; Stark County Auditor (Federal Deposit): \$336.00;

Game & Fish Licenses: ND Game & Fish: \$179,520.00;

SW Victim Witness Program: Payroll: \$5,082.89; NDPers: \$1,154.44; Consolidated: \$38.96; AT&T Mobility: \$83.82; Stark County Auditor (Federal Deposit): \$372.51; Verizon Wireless: \$40.01;

Hazardous Chemical Prep: Dickinson Press: \$85.80;

DVRCC: Domestic Violence: \$838.50;

State Reimbursements: George L Sarnicki: \$75.00; Gary Kuhn: \$25.00; Thomas Grosz: \$50.00;

Siren Contingency: Roughrider Electric: \$309.00;

Other Reimbursements: Sure Sign: \$380.00; Consolidated: \$178.16; Walmart: \$8.60; Pharm Chem Inc: \$1,386.00; SBM Inc: \$406.68; Office of Attorney General: \$4,971.00;

Jag 14-401 Grant: Payroll: \$4,788.72; NDPers: \$1,166.55; Stark County Auditor (Federal Deposit): \$429.43;

Oil 3024 Grant: Payroll: \$6,293.36; NDPers: \$716.26; Stark County Auditor (Federal Deposit): \$386.25; Sytech: \$8,800.00; Enterprise FM TR: \$39,463.76; Post Board: \$110.00; The UPS Store: \$11.86; Galls: \$102.70; Consolidated: \$66.87; Verizon Wireless: \$612.64; Wex Bank: \$683.37;

911 Equipment: Consolidated: \$57.14; Walmart: \$19.97;

Sheriff Clarence Tuhy gave an update and monthly report of the Stark County Sheriff's Department. Sheriff Clarence Tuhy reported he has equipment to declare as surplus property, which includes portable radios, in-car video equipment and radar systems. The Board of Commissioners recommended the equipment be destroyed at the baler building. Comm. Wolf moved to declare the list and directed Sheriff Clarence Tuhy to dispose of

the equipment through the baler building. Comm. Zander seconded. All voted Aye and the motion carried.

Sheriff Clarence Tuhy reported he received only one bid for three vehicles, which was from Parkway Ford.

Chairman Hoff questioned why there is a lot of traffic stops in other jurisdictions, such as the City of Dickinson and on State Highways. Sheriff Clarence Tuhy reported these are grant enforcement stops. Comm. Zander questioned the excessive amount of overtime. Sheriff Clarence Tuhy reported it is a combination of finishing reports, being called in, etc.

Road Superintendent Al Heiser, gave the monthly report and reported the following: crew currently scrubbing walls and ceiling in the Dickinson shop. Road Superintendent Al Heiser, Comm. Kuntz and Chairman Hoff inspected Belfield shop roof, which appears to need repairs and looked at doing an expansion for a couple of bays to the Richardton shop. A contractor could do the bare minimum work and the road crew could finish the work.

Road Superintendent Al Heiser reported on the Green River Bridge and there probably won't be funding until 2016, the project for 38th may get pulled and are working with Billings County and many cracks showed up on roads when the weather warmed up and then froze.

Tim Kelly, Kadrmas, Lee & Jackson, gave the engineers report and updates on the following projects, the Green River Bridge project northeast of Dickinson is still suspended, the project northwest of Dickinson will be rebid this month through ND Department of Transportation.

Tim Kelly, Kadrmas, Lee & Jackson, advised the priorities for Stark County on the City of Dickinson projects should be the road projects on the borders of the City of Dickinson which affects and improves access for County residents.

Auditor Kay Haag presented a document from Kadrmas, Lee & Jackson for a signature on the Final Review and Acceptance for the South Heart road. Comm. Wolf moved to authorize Chairman Hoff to sign the Final Review and Acceptance. Comm. Zander seconded. All voted Aye and the motion carried.

Gaylon Baker, Vision West, provided the table of Contents for the Vision West project. Gaylon Baker questioned what priorities Stark County has for Vision West. Comm. Wolf commented to support public safety and transportation. Comm. Zander agreed and to prioritize them as Planning and Zoning, Public Safety and Emergency Management Systems. Gaylon Baker informed the Commission the Vision West meeting is February 6th in Minot and to contact him prior to the meeting if there is any further discussion.

Comm. Wolf provided an overview of the proposed working hours discussed at the January 4th meeting. Veteran's Service Officer Leslie Ross reported public contact hours should have a standard for the public by changing the public contact hours to Monday through Thursday 8:00 am to 5:00 pm and Friday from 8:00 am to 12:00 noon, this would allow employees non-contact time to dedicate to work tasks and projects. State's Attorney Tom Henning reported the Clerk of Court currently only services the public until 3:30 pm daily to allow for non-contact time. County Agent Kurt Froelich reported he has a staff of five, which includes three part-time secretary positions and the office is closed during the noon hour, so this model would not work for the department. State's Attorney Tom Henning and Sheriff Clarence Tuhy reported that this model would not work for them because they work around the court schedule. Discussion was held that this would be a decision made by each elected official/department head. Auditor Kay Haag was directed to have Benefits/Payroll Administrator Linda Krebs to update the policy manual to present at the March 4th meeting.

Jon Cameron, Senator Hoeven's office, provided a brief update and reported a vote is scheduled today on the farm bill and Senator Hoeven will be hosting a press conference to urge President Obama to approve the Keystone-XL pipeline.

Auditor Kay Haag reported the wrong dollar amount was made in a motion regarding the transfer from the Infrastructure Fund to County Road. Discussion was held regarding funds for the Richardton-Taylor School District and a new form from the State Tax Commissioner's office, which should be approximately available in two months. Comm. Wolf suggested we leave the funding in place and review it when the state releases the new form for guidance.

Auditor Kay Haag reported that the Ramkota in Bismarck for the NDACo Convention is booked for rooms. Chairman Hoff reported that cancellations for the convention begins September 22nd and rooms may be available at that time. Auditor Kay Haag was directed to block twelve rooms at the Expressway Inn or Expressway Inn and Suites.

Veteran's Service Officer Leslie Ross requested out-of-state travel for herself and Jessica Clifton from June 7th through June 14th for training in Grand Rapids, MI. Comm. Wolf moved to approve out-of-state travel for the Veteran's office. Comm. Kuntz seconded. All voted Aye and the motion carried.

Emergency Services Director Bill Fahlsing requested out-of-state travel for Laural Mattson from February 19th through February 21st for a grant research and writing class in Billings, MT. Comm. Zander moved to approve the out-of-state travel for the Emergency Services office. Comm. Elkin seconded. All voted Aye and the motion carried.

Comm. Elkin presented a recommendation from the Zoning Board to approve the request from Throckmorton of Municipal Communications. The request was for a Conditional Use Permit for a 400' telecommunications tower. The location being in the NW4 Section 28, Township 138, Range 94 containing approximately 2.23 acres. Comm. Elkin moved

to approve the Zoning Boards recommendation to approve the Conditional Use Permit with the staff's recommendations and revised conditions. Comm. Wolf seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Elkin presented a recommendation from the Zoning Board to approve the request from Marathon Oil Company. The request was for a Conditional Use Permit for a 60' free standing radio tower and associated structures to be used to provide data transmission for oilfield communications. The location being NW4SE4 Section 24, Township 140 Range 96 containing approximately 0.02 acres. Comm. Elkin moved to approve the Zoning Boards recommendation to approve the Conditional Use Permit with the staff's recommendations and conditions. Comm. Wolf seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Elkin moved to authorize Chairman Hoff to sign the annual Maintenance Certification for county federal aid projects for the ND Department of Transportation. Comm. Kuntz seconded. All voted Aye and the motion carried.

Auditor Kay Haag reported there is a conflicting issue for temporary and occasional employees in the Benefits Policy Manual. One section states they are eligible for holiday and funeral leave. In another section it states employees who work less than 20 hours are not eligible for holiday pay. The Board directed Benefits/Payroll Administrator Linda Krebs to make the changes for no eligibility and present at the March 4th meeting.

Discussion was held regarding our Vehicle Policy. Stark County offers a defensive driving class through ND Insurance Reserve Fund (NDRF) at no cost. The class is not mandatory through NDRF or Workers Compensation. State's Attorney Tom Henning voiced concern since NDRF or Workers Compensation doesn't require the class, the County should consider not placing another restriction on this topic. Comm. Zander felt it was a benefit for any county employee driving a county vehicle to take the defensive driver class. Comm. Zander moved to have employees that operate a county vehicle or personal vehicle for county business be offered the defensive driver class provided by NDRF. Comm. Wolf seconded. All voted Aye and the motion carried.

Every year Stark County receives a proxy vote form on behalf of Red Trail Energy. Comm. Elkin moved to abstain from the Red Trail Energy vote. Comm. Zander seconded. All voted Aye and the motion carried.

Auditor Kay Haag presented a two year Tower Lease renewal between Stark County and Stark County Fire and Emergency Communications. Comm. Wolf moved to authorize Chairman Hoff to sign the renewal Tower Lease. Comm. Elkin seconded. All voted Aye and the motion carried. Comm. Wolf also directed Emergency Services Director Bill Fahlsing to speak with Road Superintendent Al Heiser to remove and salvage the old county communication tower from Radar Base Hill.

The following **Miscellaneous Receipts** were filed: General: \$290,869.54; 10 Mill: \$8,589.00; County Road: \$102,563.30; Highway Tax Distribution: \$274,211.12; Special

Road & Bridge: \$4,410.57; Social Services: \$100,338.50; County Poor: \$62,289.62; IT-Computer/Updates: \$366.74; Capital Improvement: \$99,736.59; County Park: \$1,382.45; County Jail: \$11,993.65; Insurance: \$3,809.54; Comp Health: \$5,880.76; Emergency: \$1,470.19; Veteran's Service Office: \$1,934.46; Social Security: \$14,139.00; Advertising: \$696.41; County Agent: \$3,411.27; Weed Control: \$4,447.84; 911 Revenue: \$20,076.38; Adult Education: \$1,089.90; Fingerprint Station: \$168.00; Domestic Violence: \$490.00; Traf Safety Grant: \$857.53; Oil Impact Grant: \$121,434.60; NDBCI-Oil 518 Grant: \$9,860.38; Estimate Taxes: \$977.00; Game & Fish Licenses: \$5,892.00; SW Victim Witness Program: \$21,231.52; Protest Fund: \$31,439.74; Domestic Violence & Rape Crisis Center: \$838.50; Preservation Fee: \$1,920.00; State Reimbursements: \$1,627.45; Other Reimbursements: \$9,488.98; 911 Equipment: \$3,543.02;

Comm. Elkin moved to adjourn. Comm. Wolf seconded.

Kay Haag, Auditor

Russ Hoff, Chairman