

Official Proceedings

June 3, 2008

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. Hoff added Fair Association. Auditor Alice Schulz added board appointments and Slope County memo. Chairman Wolf added Governor's Board. Comm. Willer moved to approve the agenda. Comm. Zander seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Hoff moved to approve the minutes from the April 15, 2008, special meeting, as presented. Comm. Nodland seconded. All voted Aye and the motion carried.

Comm. Willer moved to approve the May 6, 2008, minutes as presented. Comm. Hoff seconded. All voted Aye and the motion carried.

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

General: Payroll: \$126,017.27; George Nodland: \$75.00; Ken Zander: \$75.00; Institute of Local Govt: \$30.00; BW Seven Seas Inn: \$55.00; Rhonda Ehlis: \$430.20; West Payment Center: \$582.83; Culligan Water: \$32.75; SBM Inc: \$856.16; Carol Beckert: \$50.75; ESP Computers: \$130.00; Raedeen Weinberger: \$17.42; A-Z Hydro-Seeding: \$1,500.00; B & M Security: \$16.50; City of Dickinson: \$6,671.39; Dickinson Ready Mix: \$21.60; DJ's Tesoro: \$165.86; Fix It Shop: \$37.15; Jerome Distributing: \$310.45; Newby's Ace Hardware: \$50.22; Runnings Supply: \$79.14; Western Fire & Safety: \$62.16; MDU: \$1,593.62; Roughrider Electric: \$188.00; Walmart: \$390.96; American Bank Center: \$747.74; Synergy Graphics: \$1,591.93; ND Newspaper Assoc: \$55.38; Election Systems: \$204.15; Medcenter One Occupational Health: \$495.00; NDPers: \$13,298.47; Hardy Maus & Nordsvan: \$690.00; Kropp Law Office: \$82.50; Sandness Law Office: \$90.00; Harjinder Virdee: \$2,757.50; Visa: \$138.23; Farmers Union Oil of Bis/Man: \$2,924.92; Tesoro Fleet Services: \$2,446.17; Braun Distributing: \$165.96; Denny's Electric: \$629.07; Alltel: \$294.07; Consolidated: \$502.51; Qwest: \$487.00; Reserve Account: \$15,000.00; Britton Jewelers: \$170.00; Dan's Supermarket: \$29.99; Xerox Corporation: \$279.49; David Bauer: \$225.00; Dickinson Parks & Rec: \$62.40; T-Rex Conoco: \$255.37; Radisson Hotel Bismarck: \$119.90; Post Board: \$45.00; FBINAA NW Chapter: \$75.00; NDPHA: \$20.00; Dacotah Paper Co: \$140.44; ND Surplus Property: \$20.00; Rudy's Lock & Key: \$40.00; SW Wireless Audio: \$166.35; Advanced Business Methods: \$990.38; Superior Cleaners: \$20.25; Wanner Western Wear: \$149.00; Dickinson Tire: \$304.61; Farmers Union Oil of Richardton: \$391.34; Kohler Communications: \$574.60; Ray Allen Manufacturing: \$42.40; Todd Weiler: \$60.00; Galls Inc: \$22.08; Ray O-Herron: \$789.64; Electronic Communications: \$1,282.28; LEC

Maintenance: \$6,111.44; Ban-Koe Companies: \$570.00; Dickinson Press: \$61.06; Election Workers: \$5,861.43;

County Road: Kadrmas, Lee & Jackson: \$4,009.23; Tooz Construction: \$40.00; City of Dickinson: \$61.24; Alltel: \$87.52; City of Belfield: \$12.85; City of Richardton: \$54.90; Consolidated: \$19.18; MDU: \$649.56; Qwest: \$50.08; Roughrider Electric: \$882.00; Southwest Water Authority: \$39.45; ACME Electric Co \$249.99; Bosch Lumber Co: \$54.41; Dakota Filter Supply: \$101.64; Dickinson Supply: \$28.67; Fix It Shop: \$58.35; Newby's Ace Hardware: \$15.83; Praxair: \$37.12; United Builders Center: \$81.00; Walmart: \$14.45; Dickinson Tire: \$679.49; George's Tire Shop: \$1,314.00; Schmidt Repair: \$537.78; Basin Hydraulic: \$282.60; Brown's Field Service: \$1,069.40; Butler Machinery: \$3,902.51; Dakota Farm Equipment: \$64.79; Lycox Enterprises: \$1,150.00; BR31 US Bearings: \$197.16; West Plains Implement: \$3.20; Southwest Grain: \$15,731.03; West Dakota Oil: \$14,433.65; Bill's Plumbing: \$103.62; Todd's Auto: \$13.50; Johnston Fargo Culverts: \$5,304.00; Dale Meuchel: \$60.00; Steffan Feeds: \$483.35; Lyle Signs Inc: \$59.70; Comfort Suites: \$165.00; Dickinson Press: \$295.36; Todd Miller: \$75.00; Payroll: \$122.94; Anderson Western: \$414,073.13;

Highway Tax Distribution: Payroll: \$61,128.21; NDPers: \$11,869.84;

Social Welfare: Dickinson High School \$150.00; Division of Vital Statistics: \$49.00; ND Dept of Human Services: \$8,593.13; Payroll: 150,498.42; NDPers: \$33,693.59; Social Services: \$18,333.02;

County Poor: ND Dept of Human Services: \$28,242.15;

IT – Computer/Updates: Payroll: \$4,200.00; NDPers: \$637.71; American Bank Center: \$305.67; Alltel: \$21.88; Consolidated: \$156.34; Tyler Technologies: \$36,865.00; SBM Inc: \$49.99; Visa: \$264.99; Information Technology Dept: \$1,179.65; Official Payment: \$225.00; Kohler Communications: \$45.00;

County Park: Kadrmas, Lee & Jackson: \$4,840.22; State Fire & Tornado: \$2.89;

Fair Board: Stark County Fair Board: \$1,103.23;

County Jail: SWMCCC: \$44,353.89;

Insurance: American Insurance Center: \$209.00; State Fire & Tornado: \$6.57;

Comp Health: NDPers: \$15,527.54; Blue Cross Blue Shield: \$445.30; Medicare Blue RX: \$237.40;

VSO Fund: Payroll: \$2,300.48;

Social Security: American Bank Center: \$24,313.45;

Advertising: Dickinson Press: \$197.38;

County Agent: Payroll: \$3,751.12; NDPers: \$256.49; Sharon Kickertz-Gerbig: \$528.86; Consolidated: \$401.66; Kurt Froelich: \$30.00; SBM Inc: \$380.76; Advanced Business Methods: \$1,474.81; Pitney Bowes Inc: \$285.00; Brenda Erie: \$100.00; Kirtsten Hansen: \$138.80; NDSU Extension Service: \$225.00;

Weed Control: Payroll: \$8,528.40; NDPers: \$978.21; Diane Allmendinger: \$550.67; Alltel: \$43.02; Quality Quick Print: \$173.95; Walmart: \$52.95; Runnings Supply: \$243.92; Boespflug Trailers: \$228.25; Chad's Automotive: \$81.94; Pump Systems Inc: \$58.90; Queen City Motors: \$38.10; West Plains Implement: \$10.68; Reds Fixit Shop: \$750.00; Western Fire & Safety: \$58.10; American Bank Center: \$109.07;

9-1-1: Payroll: \$5,464.65; NDPers: \$1,585.10; American Bank Center: \$385.83; City of Dickinson: \$6,215.42; Jolyn Bliss: \$140.65; Comfort Inn: \$106.00; Comfort Suites: \$275.00; Shirley Meduna: \$250.65; Brent Pringle: \$12.50; Qwest: \$1,609.20; Consolidated: \$609.00; Reservation Telephone: \$80.00; NDACO: \$5,403.44; SBM Inc: \$133.49;

Adult Education: Dickinson Public Library: \$200.00; Sharon Kickertz-Gerbig: \$588.25; NDSU Extension Service: \$362.00;

Domestic Violence: State Treasurer: \$630.00;

Traf Safety Grant: Tesoro Fleet Service: \$518.90; Payroll: \$4,936.06;

Homeland Security Grants: Electronic Communications: \$2,867.73;

Game & Fish: ND Game & Fish: \$570.00;

SW Victim Witness Program: BW Seven Seas Inn: \$55.00; SBM Inc: \$139.98; Alltel: \$101.73; Consolidated: \$.59; Payroll: \$3,034.75; American Bank Center: \$221.84; NDPers: \$531.44;

Domestic Violence Rape Crisis Center: Domestic Violence: \$909.00;

Preservation Fee: Cass County Treasurer: \$1,069.50; Underground Vaults: \$2.00;

State Reimbursement: Linda Zink: \$25.00; Tom Grosz: \$25.00; Kylan Klauzer: \$25.00;

Siren Contingency: Federal Signal Corp: \$28,300.00;

Other Reimbursements: Just In Glass: \$25.00; Total Control Inc: \$7,000.00; Matthew Scott Bennett: \$25.00; Russ Fast: \$25.00; Consolidated: \$178.16; Walmart: \$25.77; Citicapital Municipal Finance: \$33,660.16;

911 Equipment: Great Plains Towers: \$7,747.80; Spectracom Corporation: \$8,470.00; Verizon Wireless: \$35.01;

Gary Kostelecky, Emergency Management, recommended changing the burn ban to allow for controlled burning except when the fire index is in the very high to extreme category. Gary requested notification of controlled burning be given. Comm. Nodland moved to allow Emergency Management reduce the burn ban to allow for charcoal and gas grills, controlled burns except when fire index is in the very high to extreme category, controlled open burns need to be reported to fire chief or dispatch, and directed Gary Kostelecky get the correct information to The Dickinson Press to pass on to the public. Comm. Hoff seconded. Roll call vote. All voted Aye and the motion carried.

Gary Kostelecky presented the Warning Dissemination Plan for Severe Thunderstorm or Tornado Warning. Comm. Nodland moved to accept the Stark County Warning Dissemination Plan. Comm. Zander seconded. Roll call vote. All voted Aye and the motion carried.

Gary Kostelecky reported that the siren project is complete. He has had requests from Golden Valley for two used sirens and Billings County for one used siren. It was the consensus of the Board to gift the sirens to Golden Valley and Billings County and contact other counties if they would be interested in any of the remaining sirens.

Gary also reported that Roughrider Electric has offered to lease a space on our tower located on Radar Base Hill, which needs to be replaced. Roughrider Electric would like to lease space in the near future so has offered to put up a new tower and lease space to Stark County. Stark County owns 6 acres which the current tower sets on. Chairman Wolf questioned if the agreement Stark County has with Mr. Woehl for access to the tower would transfer over to Roughrider Electric. Chairman Wolf directed Gary work with Comm. Hoff and Tom Henning, States Attorney, to explore issues of concern.

Sheriff Clarence Tuhy introduced Keil Richardson as the new deputy officer recently hired.

Al Heiser, Road Superintendent, gave an update on road projects, shared salt shed with the State of North Dakota and City of Dickinson, and landscaping of courthouse grounds.

Tim Kelly, Kadrmas, Lee & Jackson, gave the engineers report and update on road projects. Discussion was held on speed limit from Taylor Exchange to Highway 10. Decision was tabled until further research can be done.

Comm. Zander presented a final draft of the Stark County Vehicle Policy. Alice Schulz, Auditor had e-mailed a draft to all department heads, but has not had any response. Tom Henning, States Attorney, stated that if adopted it is a mandate that all employees transporting clients have adequate insurance and must provide proof of insurance.

Comm. Zander requested each department determine how many employees are using their own vehicles for county business. The decision was tabled until the next meeting.

Comm. Zander reported that seventeen applications were received for the Veterans Service Officer position. Comm. Zander requested a committee be formed to assist with the interviewing of six or seven of the applicants. The committee will consist of Chairman Wolf, Alice Schulz, Tom Henning and Steve Schneider. Comm. Zander will be the moderator.

Comm. Hoff reported that the Fair Association has formed two committees; one committee is to meet with public entities, city and county commissions, Dickinson State University and Dickinson Park and Recreation, etc., and the other committee is to look at the land and determine what fits.

Chairman Wolf opened the Public Hearing for Southwest Grain Tax Abatement request. Diane Brines, Tax Director, presented a request from Southwest Grain for a tax exemption on their expansion addition. Chairman Wolf asked for any input from the audience. Jay Elkin spoke in support of the five year exemption. Delane Thom, General Manager of Southwest Grain arriving late for the public hearing addressed the Commission requesting the 5 year - 100% tax exemption for the expansion addition. Discussion was held comparing a 5 year - 100% tax exemption versus a prorated exemption schedule similar to Red Trail Energy. Chairman Wolf closed the Public Hearing. Comm. Zander moved to allow a tax exemption to Southwest Grain for their expansion addition as follows; first and second year – 100% exemption, third year – 75% exemption, fourth year – 50% exemption, fifth year – 25% exemption, and from sixth year and on – full value, 0% exemption. Comm. Willer seconded. Roll call vote. All voted Aye and the motion carried.

Alice Schulz, Auditor, informed the Board that Richard Wolf resigned from the Vector Control Board. Comm. Zander moved to appoint Jerry Mayer to the Vector Control Board on condition of his acceptance. Comm. Nodland seconded. All voted Aye and the motion carried.

Comm. Hoff moved to reappoint Chet Willer and George Nodland to the Social Services Board for their remaining term as commissioners and reappoint Jim Hope for a three year term. Comm. Zander seconded. All voted Aye and the motion carried.

Comm. Nodland moved to reappoint Jerry Perdaems Sr. and Leland Brand to County Weed Board for a 4 year term. Comm. Willer seconded. All voted Aye and the motion carried.

Alice Schulz, Auditor, requested advice on an e-mail she received from Slope County pertaining to forming a group or association of counties with uranium deposits. Chairman Wolf recommended forwarding the e-mail to Terry Traynor, and the issue could be brought up at the SW Counties Association meeting. Tom Henning, States Attorney, recommended that a public notice be published in the paper notifying of

location and time of SW County Association meeting, to be in compliance with the states open meeting policy. Chairman Wolf suggested Alice contact other counties about the open meeting policy.

Chairman Wolf reported to the Board that he attended a brainstorm session in Bismarck to address the deficit at St. Joseph's Hospital in Dickinson and the CAH designation at Richardton Hospital. The committee decided to meet once a week to set goals and objectives to meet each entities respective goal.

Comm. Nodland moved to direct Al Heiser, Road Superintendent, to reduce the speed limit 10 miles per hour from the Taylor Exchange on Highway 10 to Taylor, at the same time as the Enchanted Highway speed limit changes go into effect. Comm. Zander seconded. All voted Aye and the motion carried. A Public Hearing needs to be scheduled for the next meeting.

Alice Schulz, Auditor, gave an update on Early Voting for the 2008 Primary Election.

The Board recessed until 1:00 PM

The Board reconvened as the Stark County Board of Equalization. Stark County Tax Assessor, Diane Brines presided.

Diane Brines, County Assessor, read Chapter 57-12 from the North Dakota Century Code.

County Assessor Brines reported in the City of Belfield there was a 10% increase on residential properties, market value increased to \$14,987,500 and taxable value to \$696,350 for 2008. New residential construction of \$140,700 and new commercial construction of \$82,600 was reported. Comm. Hoff moved to approve the City of Belfield valuations. Comm. Zander seconded. Roll call vote. All voted Aye and the motion carried.

County Assessor Brines reported in the City of South Heart there was a 10% increase on residential properties, market value increased to \$7,633,700 and taxable value to \$348,493 for 2008. New residential construction of \$243,450 and new commercial construction of \$51,200 was reported. Comm. Willer moved to approve the City of South Heart valuations. Comm. Nodland seconded. Roll call vote. All voted Aye and the motion carried.

County Assessor Brines reported in the City of Gladstone there was a 10% increase on residential properties, market value increased to \$2,808,600 and taxable value to \$128,388 for 2008. New residential construction of \$41,900 was reported. Comm. Willer moved to approve the City of Gladstone valuations. Comm. Zander seconded. Roll call vote. All voted Aye and the motion carried.

City of Taylor, Assessor, Lorna O'Connor, reported in the City of Taylor new residential construction of \$12,200 and new commercial construction of \$19,300. Diane Brines, County Assessor, recommended a 10% increase to residential structures, but the City of Taylor voted down the increase. Comm. Zander moved to accept the County Assessor's recommendation and increase the City of Taylor's valuations by 10%. Comm. Willer seconded. Roll call vote. All voted Aye and the motion carried.

County Assessor Brines reported in the City of Richardton there was a 10% increase on residential properties, market value increased to \$12,980,600 and taxable value to \$593,641 for 2008. New residential construction of \$301,300 and new commercial construction of \$294,300 was reported. Comm. Nodland moved to follow the City of Richardton's recommendation of 10% increase to valuations. Comm. Hoff seconded. Roll call vote. All voted Aye and the motion carried.

City of Dickinson, City Assessor, Jan Zent, reported in the City of Dickinson there was an average 12% increase on residential properties, market value increased to \$758,517,330 and taxable value to \$35,060,306 for 2008. Comm. Zander moved to accept the 12% increase to City of Dickinson valuations recommended by the City Assessor. Comm. Willer seconded. Roll call vote. All voted Aye and the motion carried.

County Assessor Brines reported in the county market value increased to \$381,920,050 and taxable value to \$18,305,690 for 2008. There was new residential construction of \$4,568,300, and new commercial construction of \$8,903,400 for 2008, and 23 new residential exemptions reported. Countywide there was an average increase of 31.4%. The average increase when taking into consideration the City of Dickinson, small cities and rural Stark County is 17.4%. Farm land had a 0% increase to value, the average value per acre is \$200.24.

Bob Ehler, Vanguard Appraisals, Inc. gave a brief review on how mass appraisals are conducted. Two goals Stark County wanted to achieve was to get property valuations at 100% of market value and equalization throughout the county. The tools are now in place to maintain equitable values from here on.

Chairman Wolf opened the meeting to hear comments from the public in attendance. Of the approximately 50 people in attendance the following individuals spoke to contest their appraisal values: Cliff Keithley, Ed Biel, Delry Sabrosky representing Stockmens Ranch Supply, Emil Schaaf representing Fisher Industries, Mr. Roth, Ed Goldade, Joanna Egly, Don Charbonneau, Phillip Messer, Andy Fiedler, Keith Herold, Art Dohrmann, Scott Kadrmas, Del Gab, Annaleise Schmidt, Connie Connolly, Donna Seborg, Ruth Prouty, Justin Kruger, Doug Gullickson, Dennis Beaudoin, Vickie Decker, Ernie Hellickson, Roger Ashley, Florence Heidecker, Troy Bargmann, Arlin Goetz, Lynette Hondl, Shannon Stroh, Fred Enderle, Kim Obrugewitch, and Ervin Heidecker.

Comm. Nodland commented equalization should have been done along time ago. This is a large issue; the county budget includes twenty five individual budgets, with some of the

mills set by the state. The state requires true and full valuation to be 100% of market value with a 5% variance either way. The budget has only increased by two to three percent per year for the last seven years.

Chairman Wolf thanked everyone for coming in, and commented that the commission did not enter into this decision lightly. Some of the issues presented today are legitimate issues and need to be brought up with Diane.

Chairman Wolf explained to the public that the next step is to appeal to the State Board of Equalization on August 12, 2008. Anyone appearing before the Board needs to contact the State Supervisor of Assessments at the North Dakota Office of the State Tax Commissioner ten days before the meeting.

Comm. Nodland moved to accept the county assessment as presented by the County Assessor and highly recommend that we do what we can to visit with people about these issues. Comm. Willer seconded. Roll call vote. All voted Aye and the motion carried.

The following **Miscellaneous Receipts** were filed: General: \$48,869.95; County Road: \$34,324.93; Highway Tax Distribution: \$112,691.58; Social Services: \$30,437.86; Information Technology Dept: \$253.42; Capital Improvements: \$27,866.19; County Agent: \$120.00; Weed Control: \$6,042.61; 911 Revenue: \$13,417.54; Adult Education: \$406.80; Finger Print Station: \$304.00; Domestic Violence: \$595.00; Traf Safety Grant: \$3,427.55; Estimate Tax: \$11,947.87; Game and Fish: \$8,670.00; LEC Financial Officer: \$3,217.53; SW Victim Witness: \$2,119.00; Hazardous Chemical Prep: \$1,862.50; DVRCC: \$909.00; Preservation Fee: \$1,248.00; Other Reimbursements: \$2,753.93; Judgment Execution Revenue: \$620.00; 911 Equipment: \$4,472.60;

Comm. Nodland moved to adjourn. Comm. Hoff seconded.

Alice Schulz, Auditor

Duane A. Wolf, Chairman