

Official Proceedings

June 4th, 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 to the agenda. Comm. Hoff added Zoning, Bill Fahlsing, Emergency Manager/911 Coordinator added Flood Emergency Declaration and States Attorney added Staffing. Comm. Wolf moved to approve the agenda with the additions. Comm. Elkin seconded. All voted Aye and the motion carried.

Comm. Hoff moved to approve the minutes from the May 7th, 2013 meeting. Comm. Kuntz seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Kuntz moved to accept the accounts payable plus an invoice for Fisher industries for approximately \$127,000.00. Comm. Hoff seconded. Roll call vote. All voted Aye and the motion carried.

General: Payroll: \$197,959.08; NDPers: \$28,366.80; NDACO: \$120.00; Linda Gingery: \$310.85; James Hope: \$118.65; Thomas Reuters: \$628.19; Dakota Water Treatment: \$36.50; Newby's Ace Hardware: \$101.74; SBM Inc: \$1,225.35; CNA Surety: \$50.00; Secretary of State: \$72.00; Marco Inc NW 712: \$794.00; Xerox Corporation: \$648.90; Diane Brines: \$54.00; Natalie Wandler: \$96.40; Consolidated: \$477.86; MDU: \$1,927.66; Roughrider Electric: \$150.00; Southwest Water: \$44.05; Braun Distributing: \$243.92; Nitro-Green: \$289.00; NDSU Extension Pesticide: \$70.00; City of Dickinson: \$11,764.92; Maus & Nordsvan: \$675.00; Ottmar & Ottmar: \$97.50; Cenex Fleetcard: \$7,631.60; Farmers Union Oil Bis/Man: \$2,582.46; Wex Bank: \$1,674.28; AT&T Mobility: \$1,581.30; Century Link: \$487.00; Britton Jewelers: \$103.00; George Kuchynski: \$9.00; Pitney Bowes Inc: \$54.48; ND Youth Correctional Center: \$4,274.55; David Bauer: \$250.00; Zuger Kirmis & Smith: \$3,830.25; Dickinson Parks & Rec: \$52.00; Ryan Ziliak: \$526.00; West Dakota Oil: \$81.13; BW Plus Grant Creek Inn: \$190.18; Visa: \$1,177.52; Connie Monson: \$120.00; Great Plains Clinic: \$863.00; American Insurance: \$50.00; Walmart: \$106.34; Advanced Business Machines: \$269.17; Balco Uniforms: \$376.80; Uniform Center: \$2,056.22; Dickinson Tire: \$99.94; Electronic Communication: \$26,947.00; Parkway Ford: \$7,554.92; Puklich Chevrolet: \$46.73; T-Rex Conoco Inc: \$185.56; Farmers Union Oil Richardton: \$210.43; Ultramax: \$1,264.25; LEC Maintenance: \$8,628.93; Stark County Auditor (Federal Deposit): \$549.14; Verizon: \$40.01; Dakota's Best Coffee: \$17.75; Dickinson Press: \$94.90;

10 Mill: Kadrmas Lee & Jackson: \$7,715.54;

County Road: Kadrmas, Lee & Jackson: \$29,614.51; Jurgens Trucking: \$14,662.50; MBI Energy Logistics: \$13,902.10; Northern Improvement: \$36,329.80; Ty Newton Fencing: \$1,118.70; Electronic Communication: \$390.00; Watchguard Video: \$5,203.00; AT&T Mobility: \$197.67; Century Link: \$55.55; City of Belfield: \$22.50; City of

Dickinson: \$83.61; City of Richardton: \$54.90; Consolidated: \$45.68; MDU: \$514.58; Roughrider Electric: \$815.00; Southwest Water: \$67.42; Bosch Lumber: \$17.05; CarQuest Auto Parts: \$15.09; Fix it Shop: \$6.70; Flags USA Inc: \$84.00; Lenny's Repair: \$20.78; O'Reilly Auto Parts: \$99.99; Runnings Supply: \$352.15; Total Safety US: \$17.50; ABC Diesel: \$3.80; Charbonneau Car Center: \$22.20; J & J Operating: \$362.04; Jay R's Auto Body: \$125.00; Kohler Communications: \$515.55; Nelson International: \$212.96; Road Equipment Parts Center: \$1,643.21; Trucks of Bismarck: \$37.85; United Truck & Equipment: \$161.20; Wallwork Truck Center: \$84.27; Westlie Truck Center: \$32.32; Alternative Wrecker Services: \$250.00; Butler Machinery: \$722.40; Capital Industries: \$85.60; Dakota Farm Equipment: \$269.29; George's Tire Shop: \$262.00; RDO Equipment: \$473.12; Southwest Grain: \$40,316.00; West Dakota Oil: \$330.98; Belfield Automotive: \$26.68; Dakota Filter Supply: \$353.26; Dave's Radiators: \$50.00; Dickinson Supply: \$25.20; Mac's: \$142.82; Praxair: \$695.66; Pump Systems: \$370.01; Sax Motor Co: \$62.41; Z & S Dust Control Systems: \$35,335.47; Steffan Feeds: \$373.50; Fisher Sand & Gravel: \$127,796.76; Laker Chemical Inc: \$1,376.00; Lyle Signs: \$673.25; Cocoa-Cola Bottling: \$48.00; NDACO: \$60.00; Martin Construction: \$350,444.77; TrueNorth Steel: \$6,840.64;

Highway Tax Distribution: Payroll: \$112,877.99; NDPers: \$24,455.30;

Social Welfare: Payroll: \$154,787.59; NDPers: \$39,718.90; West River Conference of Social Welfare: \$65.00; Wrap Around Checks: \$897.14 ND Dept of Human Services; \$4,960.61; Braun Distributing: \$47.68; Jack Brown: \$450.00; City Of Dickinson: \$193.38; Comfort Suites: \$69.00; Consolidated: \$865.15; DJ's Tesoro: \$43.99; Bertie Gustafson: \$600.00; MDU: \$754.70; Diane Mortenson: \$232.78; NDACO Resources: \$945.76; Newby's Ace Hardware: \$32.96; Brianna Peterson: \$112.89; Pitney Bowes: \$258.09; Record Keepers: \$18.00; Natalie Reopelle: \$33.90; Safety Works: \$50.00; SBM Inc: \$2,742.39; Stevenson Funeral Home: \$1,950.00; Sunrise Youth Bureau: \$262.50;

County Poor: ND Dept of Human Services: \$32,759.07;

IT – Computer/Updates: NDACO Resources: \$7,558.40; Consolidated: \$257.90; Dell Marketing: \$2,248.23; Hewlett-Packard: \$7,133.81; Information Tech: \$2,256.95; Xerox Corporation: \$187.34;

Capital Improvement: Don Jones: \$200.00; Rudy's Lock & Key: \$635.00;

County Park: Kadrmas Lee & Jackson: \$4,134.58; DSU Alumni Foundation: \$300,000.00;

Fair Board: Stark County Fair Board: \$323.84;

County Jail: SWMCCC: \$87,994.38; St. Joseph's Hospital: \$198.00;

Insurance Reserve: American Insurance Center: \$227.00;

Comp Health Care: NDPers: \$26,964.48; Blue Cross Blue Shield: \$189.40;

VSO Fund: Payroll: \$7,423.92; Jessica Clifton: \$426.39; Visa: \$1,324.24; Xerox Corporation: \$38.02;

Social Security: Stark County Auditor (Federal Deposit): \$34,447.18;

Advertising: The Dickinson Press: \$151.84;

County Agent: Payroll: \$3,832.31; NDPers: \$408.41; NDSU Extension Service: \$1,458.12; Kurt Froelich: \$35.00; Samantha Roth: \$35.00; Consolidated: \$177.09; Xerox Corporation: \$136.93; Office Pro: \$25.00;

Weed Control: Payroll: \$12,187.03; NDPers: \$2,410.17; Kaye Jessen: \$32.94; Dickinson Press: \$302.04; Quality Quick Print: \$155.00; Crop Production: \$57,856.76; Runnings: \$79.98; Walmart: \$22.40; NDSU Extension Service: \$80.00; Stark County Auditor (Federal Deposit): \$219.35;

9-1-1: Payroll: \$4,397.53; NDPers: \$1,478.09; City of Dickinson: \$10,806.25; Century Link: \$1,610.01; Consolidated: \$509.00; Reservation Telephone: \$80.00; Stark County Auditor (Federal Deposit): \$310.55;

FingerPrint Station: Walmart: \$4.77;

Domestic Violence: State Treasurer: \$1,116.00;

Juvenile Alcohol Grant: Payroll: \$1,132.19;

Seat Belt Grant: Payroll: \$437.63;

Cops Grant 2011: Payroll: \$3,858.80; NDPers: \$938.58; Stark County Auditor (Federal Deposit): \$344.74;

Game and Fish: ND Game & Fish Dept: \$1,047.00;

SW Victim Witness Program: Payroll: \$4,736.22; NDPers: \$970.14; SBM Inc: \$202.98; AT&T: \$86.63; Consolidated: \$42.23; Verizon: \$40.01; Stark County Auditor (Federal Deposit): \$345.99;

DVRCC: Domestic Violence: \$1,237.00;

Preservation Fund: Consolidated: \$59.95;

State Reimbursements: Rod Berger: \$25.00; Kurt Schoening: \$25.00; Scott Zitzloff: \$25.00; George Sarnicki: \$50.00;

Siren Contingency: Roughrider Electric: \$201.00

Other Reimbursements: Legend Auto Body: \$3,538.15; Consolidated: \$182.00; Pharmchem Inc: \$462.00; Office of Attorney General: \$1,390.00; PNC Equipment Finance: \$33,660.16;

Judgment Execution: Stark County Sheriff Dept: \$65.00; Credit Bureau of Bismarck: \$150.00;

911 Equipment: Consolidated: \$57.12;

Sheriff Clarence Tuhy presented his monthly report. Truck regulatory position is now operating full time. Four vehicle video cameras need to be replaced at a cost of \$5,178.00 each, for a total cost of \$20,712.00, plus total installation charge of \$2,440.00.

Bob Stockert, R & J Communications, reported that the new radios for the Sheriff's Department do not have a siren module and five additional parts would be needed to incorporate them. Seven radios will be affected at a cost of \$1,657.25, for a total cost of \$11,600.75, plus total installation charge of \$7,150.00.

Sheriff Clarence Tuhy reported the new motor for Unit 10 through Parkway Ford will cost \$7,544.92.

Al Heiser, Road Superintendent, gave an update on roads.

Tim Kelly, Kadrmas, Lee & Jackson, gave the engineers report on various projects.

Comm. Elkin moved to re-appoint Sherry Adams, Comm. Wolf and Chairman Zander to the Social Service Board for a three year term. Comm. Kuntz seconded. All voted Aye and the motion carried.

Comm. Kuntz moved to re-appoint Comm. Wolf to the County Weed Board for a four year term. Comm. Hoff seconded. All voted Aye and the motion carried.

Comm. Hoff moved to re-appoint Holly Praus to the Vector Control Board for a three year term. Comm. Elkin seconded. All voted Aye and the motion carried.

Comm. Elkin moved to re-appoint Auditor Kay Haag as the NDACo Delegate for a two year term. Comm. Kuntz seconded. All voted Aye and the motion carried.

Comm. Elkin moved to re-appoint Ralph Weisenberger to the Rural Economic Area Partnership (REAP) Board for a two year term. Comm. Hoff seconded. All voted Aye and the motion carried.

North Dakota Department of Agriculture submitted a letter regarding applications for two anhydrous ammonia facilities. Comm. Elkin moved to approve the two anhydrous

facilities for Fitterer Inc. which are being acquired by Helena Chemical Company and for Chairman Zander to sign the SFN 18768 form. Comm. Hoff seconded. All voted Aye and the motion carried.

Kadrmass, Lee & Jackson submitted their Engineering Agreement for signature. Comm. Kuntz moved to approve Chairman Zander to sign the Engineering Agreement. Comm. Elkin seconded. All voted Aye and the motion carried. States Attorney Tom Henning voiced concerns regarding the verbiage in Article 5. No action was taken. Stark County will hold the Engineering Agreement until States Attorney Tom Henning can confer with Kadrmass, Lee & Jackson.

Comm. Hoff presented a recommendation from the Zoning Board to approve a Conditional Use Permit for Gravel Pits, Crushing and Stockpiling on a 147.72 acre tract located in the SW4 of Section 30, Township 138, range 94 for 701 Resources LLC.

Comm. Elkin moved to approve a Conditional Use Permit for Gravel Pits, Crushing and Stockpiling with amended staff recommendations for 701 Resources, LLC. Comm. Hoff seconded. Roll call vote. All voted Aye and the motion carried. Comm. Hoff moved to include a \$75,000 bond. Comm. Elkin seconded. All voted Aye and the motion carried.

Dori Reich, Vice-President of Richardton Healthcare Foundation, requested funding for the 2014 budget year. The Richardton Healthcare Foundation is seeking approximately \$150,000 in contributions for operating. The Stark County Commission advised Dori Reich the request would be considered during the 2014 budget process.

Recessed at 9:00 am for Park Board Meeting.

Reconvened at 9:30 am.

Ralph Mowder with the Supreme Court provides consultation on courthouse security and recommended that the Stark County Courthouse be limited to one entry point with screening at that point. Chairman Zander suggested forming a committee to develop a plan including, but not limited to, Ralph Mowder, Comm. Kuntz, Sheriff Clarence Tuhy, County Planner Steve Josephson, and States Attorney Tom Henning (who will serve as the temporary Chairman of the Committee).

The County Board of Equalization began at 10:00 AM. Stark County Tax Assessor, Diane Brines presided.

City of Dickinson Assessor, Joe Hirschfeld, reported in the City of Dickinson the true and full valuation will be \$1,866,655,550 and the taxable valuation will be \$87,539,014 for 2013. Comm. Hoff moved to accept the City of Dickinson valuations recommended by the City Assessor. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

County Assessor Diane Brines reported in the City of Belfield the true and full valuation will be \$41,123,800 and the taxable valuation will be \$1,911,237 for 2013. New residential construction of \$3,472,000 and new commercial construction of \$2,464,700 was reported. Comm. Wolf moved to approve the City of Belfield valuations. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

County Assessor Diane Brines reported in the City of South Heart the true and full valuation will be \$21,515,200 and the taxable valuation will be \$986,229 for 2013. New residential construction of \$2,852,900 and new commercial construction of \$343,500 was reported. Comm. Kuntz moved to approve the City of South Heart valuations. Comm. Hoff seconded. Roll call vote. All voted Aye and the motion carried.

County Assessor Diane Brines reported in the City of Gladstone the true and full valuation will be \$8,657,200 and the taxable valuation will be \$393,211 for 2013. New residential construction of \$1,777,000 was reported. Comm. Wolf moved to approve the City of Gladstone valuations. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

County Assessor Diane Brines reported in the City of Taylor there was a reevaluation on residential properties, the true and full valuation will be \$7,708,300 and the taxable valuation will be \$350,980 for 2013. New residential construction of \$1,223,800 was reported. Comm. Elkin moved to accept the City of Taylor valuations. Comm. Hoff seconded. Roll call vote. All voted Aye and the motion carried.

County Assessor Brines reported in the City of Richardton the true and full valuation will be \$27,365,000 and the taxable valuation will be \$1,253,676 for 2013. New residential construction of \$1,088,700 and new commercial construction of \$1,139,100 was reported. Comm. Kuntz moved to approve the City of Richardton valuations. Comm. Wolf seconded. Roll call vote. All voted Aye and the motion carried.

County Assessor Diane Brines reported in the County the true and full valuation will be \$777,768,900 and taxable valuation will be \$37,468,904 for 2013. New residential construction of \$25,985,400 and new commercial construction of \$57,009,310 was reported. Forty-three new two year residential exemptions, forty existing two year residential exemptions were reported. Countywide there was an average increase for taxable valuation of 46%. Farm land had an increase of 13%; the average value per acre is \$312.42. Comm. Wolf moved to approve the County valuations. Comm. Kuntz seconded. Roll call vote. All voted Aye and the motion carried.

Brian and Kari Hanstead asked for direction regarding a neighbor who has blocked access to their property and made threatening remarks. States Attorney Tom Henning, Road Superintendent Al Heiser and Sheriff Clarence Tuhy will settle the matter.

A resident of Greenvale Subdivision voiced concerns regarding the road conditions and speeding vehicles. Comm. Hoff moved to install signage regarding No Truck Traffic. Comm. Elkin seconded. All voted Aye and the motion carried.

Bill Fahlsing, Emergency Manger/911 Coordinator, presented a Flood Emergency Declaration which declared a flood emergency on May 31st, 2013 by Chairman Zander. Comm. Elkin moved to ratify the Flood Emergency Declaration and Chairman Zander to sign the Declaration. Comm. Wolf seconded.

States Attorney Tom Henning requested the hiring of an additional Attorney and making his part-time Legal Secretary full-time due to the number and complexity of increased cases.

The following **Miscellaneous Receipts** were filed: General: \$214,171.75; County Road: \$51,158.81; Highway Tax Distribution: \$235,478.67; Social Services: \$115,895.01; IT-Computer/Updates: \$2,229.53; Capital Improvement: \$19,849.57; Infrastructure: \$136,171.70; County Park: \$100,078.22; Social Security: \$2,186.39; Weed Control: \$6,461.60; 911 Revenue: \$26,011.84; Adult Education: \$410.00; Fingerprint Station: \$456.00; Domestic Violence: \$389.00; Juvenile Alcohol Grant: \$1,132.19; Misc. Grants: \$4,000.00; Estimate Tax: \$1,440.00; Game and Fish: \$41,198.00; DJS Transport: \$294.52; SW Victim Witness Program: \$2,562.00; Hazardous Chemical: \$6,237.50; Domestic Violence & Rape Crisis Center: \$1,237.00; Preservation Fee: \$2,235.00; Other Reimbursements: \$35,575.16; Judgment Execution: \$215.00; 911 Equipment: \$4,585.45;

Comm. Kuntz moved to adjourn. Comm. Elkin seconded.

Kay Haag, Auditor

Ken Zander, Chairman