

Official Proceedings

June 5th, 2012
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. Auditor Kay Haag added Board Appointments and American Bank Center (E-statements). Comm. Zander added Employee Housing. Comm. Hoff moved to approve the agenda with the additions. Comm. Wolf seconded. All voted Aye and the motion carried.

Comm. Kuntz moved to approve the minutes from the May 1st, 2012 meeting, and also with a correction from the April 3rd meeting minutes to the following:

1. Comm. Presented a recommendation from the Zoning Board to (~~deny~~) **approve** Location Services, Inc.'s request for final approval for a zoning change from Agricultural to Industrial for the construction and operation of a treatment facility supporting the oil and gas industry. The location being in the N2NE4 of Section 16, Township 138, Range 99 containing 80 acres. Comm. Hoff moved to table this item until April 17th at 10:00 am, when a Special Meeting will be conducted so more information can be gathered. Comm. Kuntz seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Kuntz moved to accept the accounts payable as presented plus the supplement with the exception of Northern Improvement Invoices 16876, D7713, D7715, D7716, D7720, D7721, D7723, D7724, D7732 and D7738 until further review. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

General: Payroll: \$154,237.47; Sharon Robertson: \$55.00; Amer-Chem Inc: \$46.95; Commission for Continuing Education: \$25.00; Matthew Bender: \$580.63; West Payment Center: \$602.06; Dakota Water Treatment: \$32.75; SBM Inc: \$1,058.05; Walmart: \$651.14; Ardean Ouellette: \$322.50; Midwest Business Systems: \$863.10; Xerox Corporation: \$648.24; Maintenance Management: \$500.00; Olheiser Masonry: \$2,099.48; MDU: \$1,828.59; Southwest Water Authority: \$43.35; Border States Electric: \$75.17; Braun Distributing: \$261.50; Central Mechanical: \$1,694.71; Dickinson Heating & Air: \$607.61; DJ's Tesoro: \$46.92; Jerome Distributing: \$139.65; Newby's Ace Hardware: \$235.99; Nitro-Green: \$275.00; Rudy's Lock & Key: \$8.00; City of Dickinson: \$11,178.73; Election Workers: \$13,376.78; Bosch Lumber Co: \$51.84; DS Solutions Inc: \$440.00; Election Systems Inc: \$7,119.94; Pizza Hut: \$40.24; ND Secretary of State: \$4,870.15; Comfort Suites: \$276.00; NDPers: \$19,397.75; Maus & Nordsvan: \$690.50; Ottmar & Ottmar: \$127.50; Farmers Union Oil Bis/Man: \$3,867.48; Wright Express: \$2,746.56; Century Link: \$487.00; Consolidated: \$462.47; US Postal Service: \$50.00; AT&T Mobility: \$332.92; Gaffaney's Floral: \$35.00; Great Plains Directory: \$318.25; Office Max Inc: \$321.81; Service Printers: \$446.15; Stark County Auditor (Deposit Slips): \$117.40; Jeff Seward: \$600.00; David Bauer: \$250.00; Boyds &

Sons Construction: \$200.00; Dickinson Parks & Rec: \$56.16; Chad's Automotive: \$32.28; T-Rex Conoco Inc: \$350.70; Visa: \$1,956.68; ND Post: \$25.00; Stop Domestic Violence: \$240.00; Dan's Supermarket: \$21.99; Advanced Business Methods: \$214.81; Balco Uniforms Co: \$407.85; Superior Cleaners: \$22.00; Wanner Western Wear: \$1,050.45; Dickinson Tire: \$567.93; Just In Glass: \$40.00; Midas Auto Service: \$635.38; Cenex Fleetcard: \$416.86; Farmers Union Oil of Richardton: \$114.23; Brownells Inc: \$243.74; Dakota Sew & So: \$148.83; Runnings Supply: \$35.94; LEC Maintenance: \$8,190.49; Stark County Auditor (Federal Deposit): \$514.06; NDACO: \$23.50; Quality Quick Print: \$129.97; Sax Motor Co: \$12,366.00; ND Dept of Transportation: \$11.50; Dickinson Press: \$268.80;

10 Mill: ND Dept of Transportation: \$13,917.54;

County Road: Kadrmas, Lee & Jackson: \$63,878.79; Northern Improvement Inc: \$1,456,211.73; Edward Schwartz Construction: \$7,034.00; Winn Construction: \$572.00; Ternes Fencing: \$1,815.80; Pro Tint: \$200.00; City of Belfield: \$22.25; City of Dickinson: \$83.36; Consolidated: \$49.22; MDU: \$278.06; Roughrider Electric: \$1,072.00; SW Water Authority: \$43.35; City of Richardton: \$54.90; Century Link: \$56.11; AT&T Mobility: \$143.85; ACME Electric Co: \$354.99; Clean Sweep Vacuum Service: \$17.99; Hedahls Headquarters: \$16.95; Mac's Inc: \$95.47; Newby's Ace Hardware: \$13.37; Runnings Supply: \$154.70; Total Safety US: \$287.30; ABC Diesel Inc: \$1,414.41; Carquest Auto Parts: \$249.23; Catco: \$841.29; J&J Operating: \$19.49; NW Tire Inc: \$1,184.99; Pump Systems LLC: \$2,157.89; Tom's Service Center: \$106.00; Wallwork Truck Center: \$98.81; Westlie Crossroads: \$658.77; Butler Machinery: \$3,434.74; Capital Industries: \$240.49; Dakota Farm Equipment: \$105.02; George's Tire Shop: \$140.00; Prairie Auto Parts: \$23.68; RDO Equipment Co: \$436.88; Stone Mill Inc: \$70.00; West Plains Inc: \$1,322.13; SW Grain: \$46,140.78; West Dakota Oil: \$7,073.19; Central Mechanical: \$247.50; Dakota Filter Supply: \$370.80; Miller Insulation: \$2,662.36; Daryl's Machining: \$45.00; Steffan Feeds: \$266.70; Fisher Sand & Gravel: \$414,963.50; Lyle Signs Inc: \$1,536.78; Maintenance Management: \$200.00; Coca-cola Bottling: \$24.00; Mulligan's Catering: \$313.95;

Highway Tax Distribution: Payroll: \$85,394.50; NDPers: \$21,484.21; NDACO: \$1,662.29;

Social Welfare: NDACO: \$796.64; Division of Vital Statistics: \$11.00; ND Farmers Union Oil of Bis/Man: \$100.00; DJ's Tesoro: \$50.00; NDPers: \$36,620.70; ND Dept of Human Services: \$5,260.43; Payroll: \$156,180.72; Social Services: \$12,081.90; Wrap Around: \$666.63; AT&T Mobility: \$71.62; DJ's Tesoro: \$147.01;

County Poor: ND Dept of Human Services: \$33,970.41;

IT – Computer/Updates: NDACO Resources: \$18,991.62; NDACO: \$13.22; Consolidated: \$52,888.48; Dell Marketing: \$477.60; Hewlett-Packard: \$2,354.00; GIS Workshop: \$12,000.00; Official Payment Center: \$225.00;

Capital Improvement: Consolidated: \$6,032.00; Kadrmas, Lee & Jackson: \$2,313.06;

County Park: Stark County Veteran's Memorial Association: \$35,000.00; Bismarck-Mandan Development Association: \$41.50; The Old Red Trail: \$1,825.10; Roughrider Electric: \$90.00;

Fair Board: Stark County Fair Board: \$425.58;

County Jail: SWMCCC: \$86,396.00; St Joseph's Hospital: \$93.00;

Insurance: NDACO: \$979.07; American Insurance Center: \$90.00; ND Insurance Dept: \$120.00

Comp Health Care: NDPers: \$23,316.12; Blue Cross Blue Shield: \$158.90;

VSO Fund: Payroll: \$6,903.93; Leslie Ross: \$2,424.70; Jessica Clifton: \$168.00; Lesueur Co Veterans Service Office: \$30.00; Quality Quick Print: \$106.10;

Social Security: Stark County Auditor (Federal Deposit): \$29,204.69;

Advertising: Dickinson Press: \$254.80;

County Agent: Payroll: \$3,619.09; NDPers: \$329.38; NDACO: \$30.10; Kurt Froelich: \$30.00; NDSU Extension Service: \$600.05; Samantha Roth: \$30.00; Consolidated: \$173.15; Advanced Business Methods: \$1,548.43;

Weed Control: Payroll: \$9,747.65; NDPers: \$2,165.92; NDACO: \$137.67; Diane Allmendinger: \$490.06; SBM Inc: \$2.03; Quality Quick Print: \$131.00; Crop Production: \$50,440.03; Clean Sweep Vacuum: \$213.94; Big K-Mart: \$789.12; Runnings Supply: \$372.85; Chad's Automotive: \$97.75; George's Tire Shop: \$50.00; Prairie Auto Parts: \$28.82; Sax Motor Co: \$274.73; Mac's Inc: \$16.32; Consolidated: \$167.00; ND Dept of Transportation: \$10.00; Stark County Auditor (Federal Deposit): \$208.72;

9-1-1: Payroll: \$3,910.93; NDPers: \$1,335.36; Stark County Auditor (Federal Deposit): \$275.20; NDACO: \$17.99; City of Dickinson: \$9,980.83; ND Apco Association: \$450.00; Century Link: \$1,613.01; Consolidated: \$833.50; Reservation Telephone: \$80.00; Visa: \$23.20;

Adult Education: NDSU Extension Pesticide Program: \$42.00;

Domestic Violence: State Treasurer: \$490.00;

Juvenile Alcohol Grant: Payroll: \$746.88;

Traf Safety Grant: Payroll: \$311.20;

Cops Grant 2011: Payroll: \$3,785.47; NDPers: \$889.40; Stark County Auditor (Federal Deposit): \$289.59;

Cops Grant 2009: Payroll: \$3,596.20; NDPers: \$862.06; Stark County Auditor (Federal Deposit): \$266.17;

Misc Grants: Sax Motor Co: \$12,275.00;

ND Game & Fish: ND Game & Fish Dept: \$937.50;

Security/Transfer DJS Reimb: Farmers Union Oil of Bis/Man: \$351.50; Wright Express: \$137.64;

SW Victim Witness Program: Payroll: \$4,476.22; NDACO: \$10.65; SBM Inc: \$91.71; NDPers: \$846.14; Consolidated: \$39.97; Linda Presler: \$200.96; Stark County Auditor (Federal Deposit): \$327.03; AT&T Mobility: \$103.95;

Hazardous Chemical Prep: Dickinson Press: \$5.60; ND EMS Foundation: \$2,000.00;

DVRCC: Domestic Violence: \$897.00;

Preservation Fund: Kathy Schwab: \$226.00; Consolidated: \$59.95;

State Reimbursement: Justin Krohmer: \$25.00;

Siren Contingency: Denny's Electric: \$445.13; Roughrider Electric: \$198.00;

Other Reimbursements: Bullberry System: \$750.00; Consolidated: \$182.00; PNC Equipment Finance: \$33,660.16; Office of Attorney General: \$795.00;

Judgment Execution: Mackoff Kellogg: \$136.94; Stark County Sheriff's Dept: \$65.00;

911 Equipment: Consolidated: \$55.58;

Sheriff Clarence Tuhy gave an update on the task force, court room security and monthly transports.

Sheriff Clarence Tuhy discussed revising the 207 K Exemption to the following:

A. 207 K Exemption Plan – Sheriff's Office (revised by Sheriff Tuhy June 2012)

- 1.** All personnel in the Sheriff's Department, consistent with the provision of the Fair Labor Standards Act, shall work under the 207K Exemption Plan. The normal twenty-eight (28) day work period consists of 171 hours for non-exempt, shift employees. This work period for the County Sheriff's Department began on January 1st, 2012 for all Patrol Staff. **As of June 18th, 2012 the Sheriff's Office will follow the 207K Exception Plan, but**

only work 160 hours in the twenty-eight (28) day work period, before paid overtime.

2. All hours worked by non-exempt employees in excess of 40 hours per week, or 160 hours in a work period, shall be specifically authorized in advance by the Department Head or Department Supervisor except in situations deemed unforeseeable, necessary or as an emergency as determined by the Department Head.

Sheriff Clarence Tuhy discussed that the ND Sheriff's Association and NDIRF are working to get a model policy through Lexipoll for all Sheriff's Department in North Dakota. There would be a yearly fee associated with this service and take up to a year to implement.

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

Comm. Wolf moved for Chairman Zander to sign a Customs Power of Attorney with Norman G. Jenson, Inc., a broker to purchase oil out of Canada for Stark County. Comm. Elkin seconded. All voted Aye and the motion carried.

Al Heiser, Road Superintendent, discussed trucks entering Kralicek's Subdivision and not being able to turn around to exit. A "No Truck" sign has been posted on 32 and 32T.

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

State's Attorney Tom Henning discussed Stark County owned lots along with mineral rights in Belfield. A company inquired about leasing the mineral rights. Kubik, Bogner, Ridl & Selinger will review the offer.

State's Attorney Tom Henning reported that Location Services Inc. is reconsidering the dumpsite to be located in the N2NE4 Section 16, Township 138, Range 99. The motion for the zoning change for Location Services Inc. specifically stated if the property was not to be used as a dumpsite by Location Services Inc., the zoning would revert back to Agricultural.

Auditor Kay Haag discussed an addendum for E-statements through American Bank Center. Comm. Hoff moved Chairman Zander to sign the addendum for E-statements with American Bank Center. Comm. Kuntz seconded. All voted Aye and the motion carried.

Comm. Kuntz moved to appoint Rene Syminow to fulfill Natalie Romanyshyn's term until July 1, 2014 for Vector Control Board. Comm. Elkin seconded. All voted Aye and the motion carried.

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

Bob Zent, Rural Fire District, requested \$200,000 for a Rescue Unit for the 2013 budget. The Commission discussed other counties and cities supporting the Rural Fire District for also using their services.

Randy Sickler, Ebeltoft, Sickler Lawyers, representing the County Line Truck Stop, LLC, presented a Beer and Liquor License for the County Line Truck Stop, LLC located in the County Line Industrial Park. Further research for County Beer and Liquor Licenses will be done regarding fees, ordinances, codes etc. before making a decision.

Comm. Elkin moved to approve the final plat for Bottrell Subdivision with conditions for dust control and paved access to the facility, parking area and the turn-around loop for Diamond B Companies. Comm. Wolf seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Wolf moved to approve payment from the General Fund for the HR Certification for Human Resource Generalist Marie Bittner. Comm. Elkin seconded. All voted Aye and the motion carried.

Kurt Froelich, County Agent, presented a proposal from Consolidated for installing a new phone system at the County Agent building, the cost being approximately \$4,569.00. Comm. Elkin moved to approve the phone system and to be paid from the Information Technology budget. Comm. Wolf seconded. All voted Aye and the motion carried.

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 \$1,188,487,950 and the taxable valuation will be \$55,173,275 for 2012. Comm. Wolf moved to accept the City of Dickinson valuations recommended by the City Assessor. Comm. Hoff 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 \$27,083,900 and the taxable valuation will be \$1,248,995 for 2012. New residential construction of \$2,786,000 and new commercial construction of \$809,600 was reported. Comm. Elkin moved to approve the City of Belfield valuations. Comm. Kuntz 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 \$14,573,200 and the taxable valuation will be \$664,681 for 2012. New residential construction of \$919,000 and new commercial construction of \$367,800 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 \$5,650,300 and the taxable valuation will be \$256,828 for 2012. New residential construction of \$232,753 was reported. Comm. Elkin moved to approve the City of Gladstone valuations. Comm. Wolf 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 \$5,100,600 and the taxable valuation will be \$231,696 for 2012. New residential construction of \$140,000 was reported. Comm. Elkin moved to accept the City of Taylor valuations. Comm. Kuntz 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 \$21,296,100 and the taxable valuation will be \$969,582 for 2012. New residential construction of \$160,000 was reported. Comm. Hoff 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 \$576,071,100 and taxable valuation will be \$27,628,959 for 2012. New residential construction of \$9,297,300 and new commercial construction of \$7,509,600 was reported. Forty new two year residential exemptions, thirty- four existing two year residential exemptions were reported. Countywide there was an average increase of 10%. The average increase when taking into consideration the City of Dickinson, small cities and rural Stark County is 18.5%. Farm land had an increase of 25%; the average value per acre is \$276.69. Comm. Elkin moved to approve the County valuations. Comm. Wolf seconded. Roll call vote. All voted Aye and the motion carried.

Kevin Pavlish discussed placing a speed limit on 2 ½ miles off of Highway 22 on 30th Street SW, which is a County Line, approval will also have to come from Dunn County. Comm. Kuntz moved to reduce the speed limit to 40 mph on 30th Street SW contingent on approval from Dunn County Commission.

Shawn Kessel, City of Dickinson Administrator, discussed the Vision West ND and having a representative from Stark County for the planning sessions.

Shawn Kessel, City of Dickinson Administrator, discussed the housing program grants, HIF (Housing Incentive Fund Program) and Law Enforcement Housing Pilot Program, that are available to Local Governments for employee housing. Comm. Wolf moved to draft a joint powers agreement with the City of Dickinson for the Law Enforcement Housing Pilot Program and HIF (Housing Incentive Fund Program) Grants and any other documents needed. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

The following **Miscellaneous Receipts** were filed: General: \$72,500.91; County Road: \$195,629.16; Highway Tax Distribution: \$215,826.97; Social Services: \$69,963.70; IT-

Computer/Updates: \$2,332.37; Capital Improvement: \$77,706.72; County Park: \$34.12; Social Security: \$2,500.52; County Agent: \$100.00; Weed Control: \$12,207.09; 911 Revenue: \$19,209.07; Adult Education: \$105.00; Asset Forfeiture: \$35.00; Fingerprint Station: \$456.00; Domestic Violence: \$1,050.00; Juvenile Alcohol Grant: \$1,522.44; Estimate Tax: \$3,404.38; Game and Fish: \$37,522.50; Security/Transfer DJS Reimbursement: \$287.86; SW Victim Witness Program: \$2,472.00; Hazardous Chemical Prep: \$4,400.00; Domestic Violence & Rape Crisis Center: \$897.00; Preservation Fee: \$16,730.54; Other Reimbursements: \$36,777.33; Judgment Execution: \$201.94; 911 Equipment: \$6,403.07;

Comm. Wolf moved to adjourn. Comm. Hoff seconded.

Kay Haag, Auditor

Ken Zander, Chairman