

## Official Proceedings

March 6th, 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. Comm. Elkin added Sandra Kuntz and Shawn Kessel. Comm. Hoff added Zoning and Emergency Management. Auditor Kay Haag added Medcenter One, Stark County Fire and Emergency Communication Association Lease and Water Management Board Appointment. Comm. Hoff moved to approve the agenda. Comm. Elkin seconded. All voted Aye and the motion carried.

Comm. Wolf moved to approve the minutes from the February 7th, 2012 meeting. Comm. Kuntz seconded. All voted Aye and the motion carried.

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

**General:** Payroll: \$150,589.34; West Payment Center: \$598.28; Dakota Water Treatment: \$38.25; Newby's Ace Hardware: \$472.93; SBM Inc: \$3,518.08; Raco Industries: \$169.01; Rocky Mountain Oil Journal: \$229.00; Xerox Corporation: \$599.90; Diane Brines: \$30.00; Natalie Wandler: \$60.00; Consolidated: \$501.41; SW Water Authority: \$43.35; Border States Electric: \$50.69; Braun Distributing: \$315.97; Electric Sales & Service: \$86.07; Jerome Distributing: \$630.45; Jon's Home Comforts Inc: \$105.73; Runnings Supply: \$29.99; T-Rex Conoco Inc: \$313.41; City of Dickinson: \$10,942.27; MDU: \$3,366.34; Walmart Community: \$158.04; Dickinson Press: \$813.20; Best Western Doublewood Inn: \$69.30; Kay Haag: \$111.00; NDPers: \$19,158.24; Maus & Nordsvan: \$682.50; Farmers Union Bis/Man: \$3,053.22; Farmers Union Richardton: \$424.86; Wright Express: \$2,231.94; Century Link: \$487.00; AT&T Mobility: \$737.37; George Kuchynski: \$37.00; Midland Atlas Co: \$314.00; Office Max Inc: \$310.29; Unlimited Office Supplies: \$170.26; ND Youth Correctional Center: \$2,230.20; B & W Rental Inc: \$125.00; Stark County Auditor: \$5.00; Dickinson Parks & Rec: \$52.00; Dan's Body Shop: \$96.56; DJ's Tesoro: \$47.05; Comfort Inn: \$65.00; Expressway Inn: \$346.50; NDAO: \$405.45; Post Board: \$30.00; NDHP Conference: \$559.08; Great Plains Clinic: \$1,046.00; Westwind Consulting: \$100.00; Dan's Supermarket: \$74.23; Gaffaney's Floral: \$39.50; Professional Printing: \$340.00; Service Printers: \$1,267.10; Visa: \$79.50; Advanced Business Methods: \$541.46; Balco Uniforms: \$632.26; Superior Cleaners: \$20.00; Wanner Western Wear: \$464.75; East End Auto: \$125.00; Electronic Communications: \$3,469.00; Cenex Fleetcard: \$62.94; Galls An Aramark: \$112.87; Brownells Inc: \$167.65; LEC Maintenance: \$9,547.42; Dennis E Wolf MD: \$6,200.00; Stark County Auditor (Federal Deposit): \$514.31; Kadrmas, Lee & Jackson: \$326.40; Rudy's Lock & Key: \$96.00; Roosevelt-Custer Regional Council: \$1,650.00;

**County Road:** Ternes Fencing: \$1,045.00; American Bank Center: \$15,951.15; Balco Uniforms: \$311.34; Electronic Communications: \$3,137.25; Gall An Aramark: \$112.86; Roughrider Speed Center: \$184.64; Sax Motor Co: \$88.40; Swanston Equipment: \$23,900.00; City of Belfield: \$22.25; City of Dickinson: \$108.36; City of Richardton: \$54.90; Consolidated: \$42.81; MDU: \$1,261.14; Roughrider Electric: \$1,429.08; SW Water Authority: \$47.21; Century Link: \$56.15; AT& T Mobility: \$141.88; Acme Electric Co: \$383.03; Carquest Auto Parts: \$162.66; Creative Energy: \$12.58; Dickinson Supply: \$121.72; Energy Systems Inc: \$140.03; Mac's Inc: \$177.96; Newby's Ace Hardware: \$43.97; Prairie Auto Parts: \$663.97; Runnings Supply: \$204.71; SBM Inc: \$31.12; Total Safety US: \$31.04; Leon Kuntz: \$4.48; Boespflug Trailers: \$19.85; Charbonneau Car Center: \$73.00; Corn Belt Manufacturing: \$1,448.91; Dakota Filter Supply: \$851.31; Dakota Tool & Machine: \$197.00; Fastenal Company: \$15.77; Hedahls Headquarters: \$55.23; J & J Operating Inc: \$4,066.29; JP Steel & Supply: \$1,109.77; Nelson International: \$6,146.06; NW Tire Inc: \$1,333.98; Performance Truck Center: \$114.73; Pump Systems LLC: \$111.90; Road Equipment: \$898.23; Safelite Fufillment: \$480.00; Trucks of Bismarck: \$2,226.29; Westlie Crossroads: \$287.94; Butler Machinery: \$2,680.48; RDO Equipment Co: \$1,317.16; SW Grain: \$40,219.48; West Dakota Oil: \$384.98; Fix It Shop: \$2.50; Lenny's Repair: \$27.15; Praxair: \$320.84; ProBuild: \$18.89; Rummel Auto Wrecking: \$21.00; Farmers Union Oil of Richardton: \$24.47; Fisher Sand & Gravel: \$88.20; Lyle Signs Inc: \$255.36; Coca-Cola Bottling: \$24.00; NDACO: \$630.70; Postmaster: \$56.00; Hlebechuk Construction: \$4,750.00; Kadrmas, Lee & Jackson: \$64,181.98; Martin Construction: \$87,789.39; Wallace Messmer: \$57,897.00; Northern Improvement Inc: \$46,675.00; Onsite Improvements: \$19,800.00;

**Highway Tax Distribution:** Payroll: \$79,235.39; NDPers: \$18,629.02; Al Heiser: \$183.73;

**Social Welfare:** NDPers: \$37,120.94; ND Family Based: \$390.00; ND Dept of Human Services: \$4,429.63; Payroll: \$153,215.71; Social Services: \$7,830.30;

**County Poor:** ND Dept of Human Services: \$30,915.01;

**IT – Computer/Updates:** NDACO Resources: \$16,541.53; Consolidated: \$237.90; Information Technology Dept: \$637.20; Hewlett Packard: \$2,563.00;

**Capital Improvement:** Border States Electric: \$113.58; Braun Distributing: \$169.05; Kadrmas, Lee & Jackson: \$120.03; Mac's Inc: \$2,036.40;

**County Park:** Taylor Community: \$10,000.00;

**Fair Board:** Stark County Fair Board: \$38,573.98;

**County Jail:** SWMCCC: \$74,422.91; St Joseph's Hospital: \$186.00;

**Comp Health Care:** NDPers: \$23,258.64; Blue Cross Blue Shield: \$158.90;

**VSO Fund:** Payroll: \$6,903.93; NACVSO: \$300.00;

**Social Security:** Stark County Auditor (Federal Deposit): \$28,252.11;

**Advertising:** Dickinson Press: \$48.30;

**County Agent:** Payroll: \$3,759.50; NDPers: \$341.69; NDSU Extension Service: \$26,253.80; Stark-Billings Co 4H: \$60.00; Kurt Froelich: \$30.00; Samantha Roth: \$30.00; Consolidated: \$176.98; SBM Inc: \$18.35; Advanced Business Methods: \$1,639.47; Center for 4H Youth: \$30.00; Gayle Pender Dukart: \$100.00; Deb Theurer: \$100.00;

**Weed Control:** Payroll: \$8,600.52; NDPers: \$2,165.92; Walmart Community: \$46.22; US Postal Service: \$225.00; Braun Distributing: \$87.60; Runnings Supply: \$116.48; Stark County Auditor (Federal Deposit): \$208.72;

**9-1-1:** Payroll: \$3,910.93; NDPers: \$1,335.36; Stark County Auditor (Federal Deposit): \$275.26; City of Dickinson: \$9,980.83; Century Link: \$1,607.73; Consolidated: \$563.00; Reservation Telephone: \$80.00; Lyle Signs Inc: \$2,448.00; Visa: \$468.00; Everbridge Inc: \$6,500.00;

**Adult Education:** Bob's Photo: \$736.93; Dan's Supermarket: \$23.94; NDSU Extension Program: \$406.00; Walmart Community: \$18.00;

**Fingerprint Station:** Galls An Aramark: \$77.93; Sirchie Finger Printing: \$177.29;

**Domestic Violence:** State Treasurer: \$446.00;

**Traf Safety Grant:** Payroll: \$556.92;

**Cops Grant 2011:** Payroll: \$3,596.20; NDPers: \$862.06; NDACO: \$66.24; Stark County Auditor (Federal Deposit): \$275.11;

**Cops Grant 2009:** Payroll: \$3,227.10; NDACO: \$242.88; NDPers: \$1,287.64; Stark County Auditor (Federal Deposit): \$246.87;

**Game & Fish:** ND Game & Fish: \$8,033.00;

**SW Victim Witness Program:** Payroll: \$4,476.22; NDPers: \$846.14; NDVAA: \$60.00; SBM Inc: \$188.94; Consolidated: \$52.95; Stark County Auditor (Federal Deposit): \$327.03; AT&T Mobility: \$85.85;

**DVRCC:** Domestic Violence: \$637.25;

**Preservation Fund:** Consolidated: \$59.95; Payroll: \$99.44;

**State Reimbursement:** Jodi Martin: \$25.00; Stacy Sanders: \$25.00; Tom Grosz: \$25.00;

**Siren Contingency:** All Hazard Warning: \$12,276.00; Roughrider Electric: \$240.00;

**Other Reimbursements:** Everbridge Inc: \$2,785.00; Best West Plus Ramkota: \$69.00; Consolidated: \$182.00; PharmChem Inc: \$273.00;

**911 Equipment:** Consolidated: \$55.58;

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

Sheriff Clarence Tuhy presented a 10% Weight Exemption Permit. Comm. Wolf moved to implement the 10% Weight Exemption Permit into Stark County's policies and to follow State permitting guidelines. Comm. Hoff seconded. All voted Aye and the motion carried.

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

Tim Kelly, Kadrmas, Lee & Jackson, gave the engineers report and presented a Memorandum of Agreement to the Advisory Council on Historic Preservation. Comm. Hoff moved to authorize Chairman Zander to sign the Memorandum of Agreement to the Advisory Council on Historic Preservation, BRO-0045(042) NDDOT Bridge Number 45-127-04.0. Comm. Elkin seconded. All voted Aye and the motion carried.

Chairman Zander opened the bid opening for Highway 10, COI-4510(062) & COI-0432(052). The following bids were presented:

Mayo Construction Company, Inc.	\$11,147,225.20
Anderson Western, Inc.	\$10,787,964.68
Central Specialties, Inc.	\$10,742,091.68
Northern Improvement Company	\$10,097,195.72
Border States Paving	\$11,101,617.59

Comm. Wolf moved to award the bid to Northern Improvement Company, low bidder, contingent on the Engineer's review. Comm. Elkin seconded. All voted Aye and the motion carried. Stark County and Billings County will share the cost for the Highway 10 project, with Stark County paying \$7,354,195.64 and Billings County paying \$2,743,000.08.

Red Trail Energy, LLC. submitted a proxy card to elect two governors to the Board of Governors. The Commission took a neutral position, so no action was taken.

Auditor Kay Haag reported receiving the notification of the two Court Facilities Improvement Grant awards. The following was awarded with the Court Facilities paying 75% and Stark County paying 25%:

1. Court Facilities - \$2,160                      Stark County - \$720
2. Court Facilities - \$13,260.89              Stark County - \$4,420.89

Discussion was held regarding county property being auctioned. Stark County and the City of Dickinson may join together for an auction.

Auditor Kay Haag reported Medcenter One applied for the ND Department of Trust Lands' Energy Infrastructure and Impact Grant and requested that Stark County be their political subdivision partner and act as their pass-thru agency for the grant dollars. Comm. Wolf moved to be Medcenter Ones political subdivision partner and act as their pass-thru agency. Comm. Hoff Seconded. All voted Aye and the motion carried.

Chairman Zander opened the bid opening for Equipment Rental and Crushing and Stockpiling. One bid was received from Fisher Industries for crushing and stockpiling. The following bids were received for equipment rental:

1. Fisher Sand & Gravel Company
2. Martin Construction Inc.
3. Baranko Brothers Inc.
4. Wilson Construction, Inc.
5. Northern Improvement Company
6. Jurgens Trucking LLC
7. Hlebechuk Construction Inc.
8. Onsite Improvements Inc.
9. Edward H Schwartz Construction

Comm. Hoff moved to accept all bids, put on file and contingent that contractor is licensed at the time of work. Comm. Elkin seconded. All voted Aye and the motion carried.

Auditor Kay Haag presented a two year Tower Lease Agreement for \$600 between Stark County and Stark County Fire and Emergency Communication Association. Comm. Elkin moved to accept and authorize Chairman Zander to sign the Tower Lease Agreement. Comm. Kuntz seconded. All voted Aye and the motion carried.

Auditor Kay Haag reported Bonnie Twogood inquired if an appointment had been made to the Water Resource Board. Comm. Hoff appointed Gary Bleth to the Water Resource Board for a 3 year term. Comm. Elkin seconded. All voted Aye and the motion carried.

Comm. Hoff requested out-of-state travel for Bill Fahlsing, Emergency Manager/911 Coordinator, to South Dakota for a Child Abduction Response Training. Comm. Kuntz moved to approve out-of-state travel for Bill Fahlsing. Comm. Elkin seconded. All voted Aye and the motion carried.

Ken Heck withdrew his request for a zoning change from Agricultural to Industrial to erect a shop with truck parking and a Conditional Use Permit for campers and trailers.

Comm. Hoff presented a recommendation from the Zoning Board to deny Kevin Carroll's/Carroll Drillings request for a zoning change from Agricultural to Agricultural/Residential with plat to be known as Arch Bow Estates. The location being in the SE4 Section 18, Township 140, Range 96 containing 15.91 acres. Comm. Hoff moved to accept the Zoning Board's recommendation to deny the zoning change from Agricultural to Agricultural/Residential. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Hoff presented a recommendation from the Zoning Board to deny Richard Jones' request for a Conditional Use Permit on Agricultural land for two RV spaces. The location being a tract in the NW4 Section 9, Township 140, Range 96 containing 3.1 acres. Comm. Hoff moved to accept the Zoning Board's recommendation to deny the Conditional Use Permit. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Hoff presented a recommendation from the Zoning Board to deny Lunette Hondl's request for a Conditional Use Permit on Agricultural land for 1 – 12 campers. The location being Lots 9 and 10, Section 6, Township 140, Range 95 containing approximately 5 - 10 acres. Comm. Hoff moved to accept the Zoning Board's recommendation to deny the Conditional Use Permit. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

The Zoning Board tabled EDOG Manifest, LLC's request for a zoning change from Agricultural to Industrial due to past performance regarding open pits.

The Zoning Board tabled Byron Richard's/Location Service Inc.'s request for a zoning change from Agricultural to Industrial due to a technical review by Kadrmas, Lee & Jackson.

Veteran's Service Officer Leslie Ross requested out-of-state travel to New Jersey for a training conference and business meeting. Comm. Wolf moved to approve out-of-state travel for Leslie Ross. Comm. Kuntz seconded. All voted Aye and the motion carried.

Veteran's Service Officer Leslie Ross introduced Assistant Veteran's Service Officer Jessica Clifton.

Bernie Marsh, representing Fair Board, informed and asked for guidance regarding swapping or selling land that is owned by the Fair Board.

John How, Kadrmas, Lee & Jackson, presented a Future Land Use Map from the City of Dickinson and asked for the Commission's approval on the map. The Commission gave verbal approval for the Future Land Use Map.

The Board recessed at 10:00 AM for a Park Board meeting.

The Board reconvened at 10:20 AM.

Sandra Kuntz, representing City of Belfield, voiced concerns regarding code enforcement and partnering-up with Stark County for a Planner and Building Inspector.

Shawn Kessel, Dickinson City Administrator, reported the City of Dickinson would be supportive in Stark County's decision regarding a Planner. The Commission requested Shawn Kessel move forward with hiring a Planner. Stark County's Building Inspector Agreement with the City of Dickinson does not include code enforcement. The Commission requested to review the agreement.

The following **Miscellaneous Receipts** were filed: General: \$236,270.69; 10 Mill: \$8,974.87; County Road: \$185,997.67; Highway Tax Distribution: \$195,901.28; Special Road & Bridge: \$2,722.71; Social Services: \$199,919.73; County Poor: \$38,319.67; IT-Computer/Updates: \$2,269.86; Capital Improvement: \$53,118.72; County Park: \$5,822.30; County Jail: \$6,655.52; Insurance: \$2,237.67; Comp Health: \$3,226.92; Emergency: \$907.57; VSO Fund: \$1,109.25; Social Security: \$11,999.16; Advertising: \$403.36; County Agent: \$1,815.14; Weed Control: \$5,193.34; 911 Revenue: \$24,600.90; Adult Education: \$2,692.05; Fingerprint Station: \$200.00; Domestic Violence: \$595.00; Traf Safety Grant: \$1,154.70; Estimate Tax: \$1,683.26; Game and Fish: \$8,413.00; SW Victim Witness Program: \$1,487.25; Domestic Violence & Rape Crisis Center: \$637.25; Other Reimbursements: \$31,351.72; 911 Equipment: \$8,269.72;

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

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Kay Haag, Auditor

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Ken Zander, Chairman