

## Official Proceedings

May 6, 2014  
8:00 am

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

### Agenda

Chairman Hoff asked for any additions or deletions to the agenda. The following items were added:

- Southwest Multi-County Correction Center Discussion – Commissioner Wolf
- Courthouse Remodel – Commissioner Kuntz
- Floyd Hurt, 9:45am – Auditor Haag
- Social Service Building – Commissioner Zander

**MOTION BY:** Commissioner Zander      **SECOND BY:** Commissioner Elkin  
To approve the agenda as presented with the additions.

**DISPOSITION:** Motion carried

### Minutes

The minutes of the April 2, 2014 Board of County Commissioners meeting were presented. No changes.

**MOTION BY:** Commissioner Kuntz      **SECOND BY:** Commissioner Elkin  
To approve the minutes of the April 2, 2014 commission meeting.

**DISPOSITION:** Motion carried

### Accounts Payable

Commissioner Kuntz questioned a conference expense for the Sheriff's Department. Sheriff Tuhy advised this is for the MOCIC conference being held in Deadwood and there is a registration deadline for this conference. Will provide additional information during the Sheriff Department's report.

**MOTION BY:** Commissioner Wolf      **SECOND BY:** Commissioner Elkin  
To approve the accounts payable with the supplemental.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

**General:** Payroll: \$225,216.46; Patricia Garrity: \$1,032.50; NDCAA: \$500.00; ND County Treasurer: \$500.00; State Bar of Montana: \$200.00; Commission for Continuing Legal Education: \$25.00; Matthew Bender & Company: \$268.74; West Payment Center: \$655.38; Dakota Water Treatment: \$21.75; Newby's Ace Hardware: \$237.58; SBM Inc: \$2,142.53; Mclean County Recorder: \$100.00; RACO Industries: \$107.51; Service Printers: \$327.00; Xerox Corporation: \$750.64; Diane Brines: \$56.00; Menards: \$19.38; Consolidated: \$440.60; MDU: \$3,400.53; Roughrider Electric: \$172.00; Southwest Water: \$41.34; AED Everywhere: \$313.00; Braun Distributing: \$386.07; Dakota Farm Equipment: \$74.68; DJ's Tesoro: \$67.00; Etsystems Inc: \$501.00; Jon's Home Comforts: \$60.00; Logo Magic Inc: \$95.00; NALCO Company: \$273.80; Quality Xterminators: \$180.00; Rudy's Lock & Key: \$24.20; Runnings Supply: \$218.31; Total Safety: \$270.00; Twin City Roofing: \$666.00; City of Dickinson: \$12,295.80; Walmart: \$393.11; Election

Systems: \$4,692.29; NDPers: \$35,865.28; Mackoff Kellogg: \$620.50; Maus & Nordsven: \$679.00; Stutsman Co Auditor: \$114.00; Cenex Fleetcard: \$6,493.24; Tri Energy Cooperation: \$1,468.24; Wex Bank: \$796.58; Brightside Services: \$270.00; Clean Sweep: \$17.99; Dickinson Heating & Air: \$350.00; US Postal Service: \$50.00; AT&T: \$1,431.63; Century Link: \$487.00; George Kuchynski: \$20.00; Unlimited Office Products: \$365.72; Forsgren Associates: \$29,537.03; Dickinson Parks & Rec: \$62.40; ND Youth Correctional Center: \$7,477.97; Dickinson Police: \$55.00; Ralph Weisenberger: \$61.52; Chad's Automotive: \$672.57; T-Rex Conoco Inc: \$369.29; ND State Radio Communications: \$1,500.00; Best Western: \$867.00; Chris Coates: \$149.40; Connie Monson: \$60.00; SD Sheriff's Association: \$390.00; NDACO Resources: \$1,422.33; FEDEX: \$17.49; Quality Quick Print \$175.00; Advanced Business Machines: \$378.88; Uniform Center: \$381.14; ND Department of Transportation: \$57.50; Dickinson Tire & Service: \$1,165.06; Electronic Communications: \$195.00; Just in Glass: \$250.00; Parkway Ford Sales: \$24,636.91; R & J Communication: \$410.00; Sax Motor Co: \$266.38; Watchguard Video: \$1,149.80; Farmers Union Oil of Richardton: \$157.14; Chief Law Enforcement: \$549.78; Kohler Communications: \$76.00; Taser International: \$331.56; LEC Maintenance: \$12,863.53; Professional Printing: \$124.00; Stark County Auditor (Federal Deposit): \$874.06; Verizon Wireless: \$90.42; SWMCCC: \$113.87; Roosevelt Custer Regional Council: \$1,374.37; Dickinson Press: \$121.60;

**10 Mill:** Kadrmas Lee & Jackson: \$17,349.85;

**County Road:** Payroll: Kadrmas Lee & Jackson: \$13,810.13; Jurgens Trucking: \$5,280.00; Bierschbach Equipment: \$1,514.89; American Bank Center: \$48,798.74; MGM Rural Sanitation: \$195.00; Quality Xterminators: \$60.00; AT&T: \$109.22; Century Link: \$56.35; City of Belfield: \$26.76; City of Dickinson: \$86.85; City of Richardton: \$54.90; Consolidated: \$59.71; MDU: \$833.15; Roughrider Electric: \$1,792.00; Southwest Water: \$55.14; Belfield Automotive: \$14.44; Border States Electric: \$390.50; Bosch Lumber Company: \$43.14; Dickinson Supply: \$376.48; Fastenal Company: \$13.40; Hedahls Headquarters: \$113.18; Kohler Communications: \$1,455.00; Lenny's Repair: \$155.78; Mac's: \$421.94; MATO Tools: \$38.50; Newby's Ace Hardware: \$40.55; Runnings Supply: \$195.51; Schaeffer MFG CO: \$454.20; Total Safety: \$337.36; West Plains Inc: \$1,294.78; Acme Electric Co: \$562.54; Ferguson Enterprises: \$21.35; General Steel: \$705.88; JP Steel & Supply: \$193.52; Nelson International: \$726.09; Prairie Auto Parts: \$323.21; Ray's Auto Electric: \$128.95; Road Equipment Parts: \$2,881.45; Trucks of Bismarck: \$146.45; Westlie Truck Center: \$15,988.56; Butler Machinery: \$1,673.18; Capital Industries: \$11,645.34; Kimball Midwest: \$513.55; Midwest Hose & Specialty: \$74.09; RDO Equipment: \$156.56; Southwest Grain: \$45,552.66; West Dakota Oil: \$3,574.37; Energy Systems Industrial: \$10,120.68; Mid-West Doors: \$89.00; Farmers Union of Richardton: \$36.71; Fisher Sand & Gravel: \$439,989.92; Northern Improvement: \$18,569.32; Deborah Baer: 10,925.34; Dennis Baer: \$10,925.34; Keith Baer: \$10,925.34; Kenneth Baer: \$10,925.34; Peter Baer: \$10,925.34; Ronald Baer: \$10,925.34; Thomas Baer: \$10,925.34; Wayne Baer: \$10,925.34; Lori Hurst: \$10,925.34; Jerilyn Myran: \$10,925.34; Lisa Wilson: \$10,925.34; Laker Chemical Inc: \$1,440.00; 3D Specialties: \$3,233.53; Coca-Cola Bottling: \$294.00;

**Highway Tax Distribution:** Payroll: \$112,100.59; NDPers: \$28,094.86; NDACO: \$5,443.10; Job Service ND: \$9,251.00;

**Social Welfare:** Payroll: \$181,831.53; NDPers: \$49,501.02; AT&T: \$44.83; Wrap Around Checks: \$506.75; ND Department of Human Services: \$3,530.31; ND Department of Vital Records: \$7.00; JoJo Beans Bath Treats: \$283.90; WRCSW: \$475.00; Emily Albert: \$268.84; Baymont Inn & Suites: \$74.70; Braun Distributing: \$307.67; City of Dickinson: \$204.25; Comfort Suites: \$740.00; Consolidated: \$787.44; DJ's Tesoro: \$66.01; Bertie Gustafson: \$650.00; Hewlett-Packard: \$3,992.00; Jon's Home Comforts Inc: \$116.40; MDU: \$932.71; Menards: \$9.97; Newby's Ace Hardware: \$82.08; Quality Xterminators: \$80.00; Record Keepers: \$25.00; SBM Inc: \$2,099.72; Visa: \$1,482.80; Walmart: \$51.45; Jeri Weiss: \$348.42; Riddle's Jewelry: \$130.00;

**County Poor:** ND Department of Human Services: \$39,115.99;

**IT-Computer/Updates:** NDACO Resources: \$24,289.64; Consolidated: \$269.26; Information Technology: \$746.25; Xerox Corporation: \$187.34;

**Capital Improvement:** Central Mechanics: \$2,400.00; Electric Sales & Service: \$2,133.75; Floor to Ceiling: \$32,200.00; G & G Garage: \$649.25; Martin's Welding: \$8,137.36;

**Oil & Gas Infrastructure:** Richardton Taylor School: \$52,961.66;

**County Park:** Stark County Veterans Memorial Association: \$50,000.00;

**Fair Association:** Stark County Fair Board: \$3,138.60;

**County Jail:** SWMCCC: \$107,214.78; St. Joseph's Hospital: \$104.00;

**Insurance Reserve:** NDACO: \$5,972.95;

**Comp Health Care:** NDPers: \$33,922.55; Blue Cross Blue Shield: \$414.80;

**VSO Fund:** Payroll: \$8,512.49; SBM: \$52.50; Consolidated: \$11.39; Verizon Wireless: \$40.05; Xerox Corporation: \$42.87;

**Social Security:** Stark County Auditor (Federal Deposit): \$38,288.76;

**Advertising:** The Dickinson Press: \$550.24;

**County Agent:** Payroll: \$4,487.30; NDPers: \$553.20; Jane Heth: \$52.50; Holiday Inn Fargo: \$247.62; NDSU Extension Service: \$661.10; Kurt Froelich: \$35.00; Samantha Roth: \$35.00; Consolidated: \$167.00; Ag Communication: \$15.00; SBM: \$166.56; Walmart: \$77.51; Xerox Corporation: \$155.01; Pitney Bowes: \$277.02;

**Weed Control:** Payroll: \$13,057.88; NDPers: \$2,847.28; Dickinson Press: \$34.96; NDSU Extension Service: \$151.11; Menards: \$527.93; Runnings Supply: \$210.45; Rummel's Auto Wrecking: \$40.00; Stark County Auditor (Federal Deposit): \$220.72;

**9-1-1:** Payroll: \$4,813.52; NDPers: \$1,725.48; City of Dickinson: \$11,275.83; Century Link: \$1,615.02; Consolidated: \$775.00; Stark County Auditor (Federal Deposit): \$342.38;

**Adult Education:** NDSU Extension Program: \$67.20; AG Communication: \$160.00; Slope County Extension: \$30.00; Walmart: \$102.69;

**Asset Forfeiture:** Motorola: \$810.00;

**Domestic Violence:** State Treasurer: \$595.00;

**Traf Safety Grant:** Payroll: \$1,292.37;

**NDBCI-OIL 3518:** Parkway Ford: \$48,582.00; NDACO Resources: \$12,726.84; Uniform Center: \$487.84; Watchguard Video: \$13,980.60;

**Criminal Justice/Oil Impact Grant:** Watchguard Video: \$13,980.60; NDPers: \$823.91; Payroll: \$3,755.30; NDPers: \$617.75; Stark County Auditor (Federal Deposit): \$268.83;

**Cops Grant 2011:** Payroll: \$3,839.01; NDPers: \$879.29; Stark County Auditor (Federal Deposit): \$386.73;

**Misc Grants:** Dickinson Ambulance: \$33,386.40;

**Security Reimbursement:** Cenex Fleetcard: \$762.94;

**SW Victim Witness Program:** Payroll: \$5,082.89; NDPers: \$1,154.44; SBM Inc: \$471.75; AT&T: \$83.84; Consolidated: \$39.01; Verizon Wireless: \$40.01; Stark County Auditor (Federal Deposit): \$372.51;

**DVRCC:** Domestic Violence Rape Crisis Center: \$853.47;

**State Reimbursements:** Mike Legler: \$25.00; George Sarnicki: \$50.00; Benjamin Jarrett: \$25.00; Larry Luithle: \$25.00;

**Siren Contingency:** Federal Signal Corp: \$1,734.88; Roughrider Electric: \$238.00;

**Other Reimbursements:** Just in Glass: \$122.03; Cenex Fleetcard: \$112.00; Gary Schaff: \$22.40; Consolidated: \$178.16; PNC Equipment Finance: \$19,488.77; Alcopro Inc: \$131.00; Pharm Chem Inc: \$4,028.00; Office of Attorney General: \$6,872.00;

**Judgement Execution:** Colonial Village: \$1,786.99; Stark County Sheriff's Office: \$414.63; Lonnie John Ward: \$968.00; Heather Carvey: \$3,120.41; Dickinson Ready mix: \$763.55;

**BCI-Task Force Grants:** Payroll: \$13,205.72; NDPers: \$3,390.65; Stark County Auditor (Federal Deposit): \$941.64; The Attic: \$70.00; Walmart: \$160.53; Consolidated: \$66.87; Verizon Wireless: \$612.74; Wex Bank: \$1,122.82; Just In Glass: \$250.00; Law Enforcement: \$920.00; Balco Uniforms: \$354.00; DKX Advanced Man: \$1,626.00;

**911 Equipment:** Menards: \$24.90; Consolidated: \$57.14;

Auditor Haag presented the following bills:

- Electric Sales & Service - \$2,068.75 – Weed Control Department for electrical work completed;
- Martin's Welding and Refrigeration, Inc. - \$8,137.36 – 2 Air Conditioning Units;
- Central Mechanical Inc. - \$2,400.00 – New Air Exchanger for Road Department.

**MOTION BY:** Commissioner Kuntz                    **SECOND BY:** Commissioner Elkin

To pay the presented bills out of the capital improvement fund.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

Auditor Haag also presented a bill from G&G Garbage Inc. in the amount of \$649.25. Advised this was for the hauling out of books.

**MOTION BY:** Commissioner Wolf                    **SECOND BY:** Commissioner Elkin

To authorize payment out of capital improvements.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried.

Road Superintendent Heiser presented bills associated with the Baer and Veverka gravel pits for crushing and royalties in the amount of \$560,168.67.

**MOTION BY:** Commissioner Zander                    **SECOND BY:** Commissioner Elkin

To approve payment out of the County Road Fund.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

### **Sheriff Tuhy**

Sheriff Tuhy introduced Jeff Rust with the Dakota Refinery. Mr. Rust presented the Sheriff's Department with a check for \$10,932 for equipment. Sheriff Tuhy then presented his monthly report. Sheriff Tuhy requested out-of-state travel for Captain Franchuk and Detective Coates for the MOCIC conference to be held in Deadwood, South Dakota.

**MOTION BY:** Commissioner Elkin                    **SECOND BY:** Commissioner Kuntz.

To approve the out-of-state travel request.

**DISPOSITION:** Motion carried

Sheriff Tuhy advised of a training grant for \$20,000 with a match of 35% from the Attorney's General's office focused on schools.

**MOTION BY:** Commissioner Wolf                    **SECOND BY:** Commissioner Elkin

To authorize the chairman to sign the grant application.

**DISPOSITION:** Motion carried

Sheriff Tuhy advised of a \$2,500 grant for water and boat safety and rescue. This is a yearly grant and if not used the money rolls over to the Dickinson Rural Fire Department rescue squad.

**MOTION BY:** Commissioner Kuntz                    **SECOND BY:** Commissioner Elkin.

To authorize the chairman to sign the grant application.

**DISPOSITION:** Motion carried

Sheriff Tuhy was asked of the status of the Truck Reg position. Sheriff Tuhy advised that the duties are currently being offered as overtime to deputies and the funds are being taken out of the road department. There are 2 deputies that have resigned from the Sheriff's Department and have obtained employment with the Dickinson Police Department. One of the deputies is the current K-9 unit and the Sheriff advised that upon completion of employment by the deputy, the K-9 will be retired. Jay Kuntz has requested to adopt the dog. Commissioner Zander advised that the County may need proper paperwork to sever the relationship between the county and the dog.

**MOTION BY:** Commissioner Zander                    **SECOND BY:** Commissioner Elkin

To allow Jay Kuntz to adopt the K-9 unit dog.

**DISPOSITION:** Motion carried

**Al Heiser**

Road Superintendent Heiser provided his monthly report to the Commission. Advised that he is pressuring the completion of 115<sup>th</sup> Ave SW leading to the Bakken Express and that they are going to pay the total cost for the parking lane. Plans were presented to Mr. Kelly's staff and were sent back. Mr. Kelly's staff is currently waiting for updated plans regarding the project. The hope is to be able to advertise at the next commission meeting but does not know if that will be adequate time. Looking at putting plans together north of Tayler for a 1-mile stretch since there are pavers right there. Going to do some work ourselves on the antelope project. The road department is seeing a lot of breakups in roads this spring. The race track road is in rough shape. At this time Mr. Heiser would suggest milling the racetrack road and seeing how it holds for a year. Commissioner Elkin asked about the East Industrial Park. Mr. Heiser advised he would like to see the developer rebuild the roads. It would be possible to consider a special assessment district but it all depends on what the property owners want. Al will conduct measurements on the roads and develop a rough project cost. Mr. Heiser advised he is getting multiple phone calls in regards to wind erosion and dust during the development process. Mr. Kelly advised every development should have a storm water and pollution/erosion control plan filed with the State Health Department and there may be some fines involved if that plan is not followed as this could be an EPA violation. Mr. Heiser advised he doesn't mind receiving the calls however he doesn't know what actions can be taken. Mr. Heiser was advised to forward these types of complaints to the North Dakota Department of Health.

**County Engineer – Tim Kelly**

Project Description/Location	Project Funding	KLJ Project No.	Comments
BRO-0045(042) PCN 16557 Green	Mill Levy &	3310123	Bypass removed, grading &

River Bridge – NE of Dickinson	Federal Bridge		pipe install. Work remaining in channel after June 1
CP-4511(12)01 CP-0045(12)02 South Heart Road, I-94 to Dunn Co. & 35 <sup>th</sup> St., US85 to MBI	Mill Levy, Oil & Gas	3312120 & 3312127	Chip Seal CO plans submitted to contractor for prices.
BRO-0045(053) PCN 20221 Saetz Bridge – NW of Dickinson	Local & Federal Bridge	3312123	Schwartz Construction anticipate July construction.
Seal Coat – Hwy 10, South Heart Road, & Others, west of Dickinson	Mill Levy & Federal Road	3312126	Project complete. Final documents submitted to NDDOT.
COIA-0045(056) PCN 20557 38 <sup>th</sup> Street, Gas Plant to Billings CO.	Oil & Gas	3313105	Contract sent to Martin Const. for signature.
COIA-0045(059) PCN 20560 32 <sup>nd</sup> Street, west of ND22, 1 mile	Oil & Gas	3313110	PS&E plans submitted to County. 2014 Construction. AI is deciding on bid vs. County construction.
CP-0045(13)03 116 <sup>th</sup> Ave., Hwy 10, N. to West Dickinson Bypass, 0.6 mile.	Oil & Gas	3313111	Project on Hold. AI working w/NDDOT.
CP-4510(13)01 Hwy 10, Antelope intersection 5.6 miles to Morton County.	Mill Levy	3313112	Boarder States. Offsets, signs, fiber rolls staked. Gravel CO sent to contractor.
SC-4510(065) PCN 20350 Hwy 10, Gladstone to SW Grain, 2.5 miles	Mill Levy, Federal Road	3313114	Northern Improvement Company. May construction.
COIA-4512(001) PCN 20556 Landfill Road, E Villard 2.3 miles south	Oil & Gas	3313121	Contractor is Northern Improvement Company. 2014 construction. Chip Seal CO.
COIA-0045(058) PCN 20559 32 <sup>nd</sup> Street, E. of ND 22 0.6 mile.	Oil & Gas	3313122	Contractor is Northern Improvement Company. 2014 construction. Chip Seal CO.
BRO-0045(060) PCN 20705 Green River Bridge (120-03.0) by Letang's	Mill Levy, Federal Bridge, Oil & Gas	3314100	Preliminary survey is nearly complete. Anticipated 2016 bid opening and construction, depending on federal funding.
CP-0045(14)01 Roadway Grading (112 <sup>th</sup> Ave SW)	Mill Levy, Federal Bridge, Oil & Gas	3314101	Preliminary survey is nearly complete. Anticipated 2015 bid opening and construction.
COIA-0045(057) PCN 20558 115 <sup>th</sup> Avenue SW Paving – BOE Access Road	Oil & Gas	3314102	Submitted Comments to BOE Engineer.

**Shawn Kessel – Quiet Zone**

Shawn Kessel, City of Dickinson Administrator presented the Dickinson Quiet Zone Assessment Final Report. Mr. Kessel advised that the quiet zone does not stop the trains

from blowing the whistle but rather reduces the amount. Costs for the project are lower than anticipated and set for the 2015 construction season. Mr. Kessel advised that there are a number of the crossings that fall within the Counties jurisdiction and is wishing to discuss possible cost sharing of the overall project.

Mr. Kessel also shared that the City of Dickinson is working to annex the property of the City's Public Works building. First reading of the annexation took place at the May 5<sup>th</sup>, 2014 City Commission meeting and the final adoption will take place at the next meeting. Once this process is complete the City will be reviewing the ETZ zone and make adjustments as they see necessary. The Woman's correction center located in New England is providing the City individuals every Monday for garbage cleanup in the City. There are areas that have been adopted by businesses/individuals. The Exit 56 Interstate exchange will begin soon. The State is asking for a \$5M local match. The City is providing \$1M and the City is requesting the County to establish a special assessment zone. Mr. Kessel was questioned in regards to a rumor that the City made a deal with the NDDOT to seek funding from the County in the exchange for financial relief on other projects. Mr. Kessel advised there is no truth to this rumor and he has made no such deals. Mr. Kessel will provide the county with maps and further information.

#### **Stark County Development – Mill**

Linda Steve, Chair of the Stark County Development Authority handed out an email from Gaylon Baker along with the 2014 budget. The email was summarized and stated that there is really only enough funds on-hand to meet current commitments. The board provided direction that this topic should be discussed during the coming up budget process.

#### **Vic Cymbaluk – Reduced Speed Limit**

Mr. Cymbaluk is requesting the reduction of speed on 131<sup>st</sup> Ave SW due to concerns with heavy traffic and young children in the area. Mr. Heiser advised he would support the speed reduction to 35mph with the placement of 2 signs. Commissioner Zander would also support the placement of "Children at Play" signs.

**MOTION BY:** Commissioner Zander      **SECOND BY:** Commissioner Elkin

To reduce speed limit on 131<sup>st</sup> Ave SW to 35<sup>th</sup> St SW and place appropriate signs.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

#### **Matt Remsnye – Dickinson Airport**

Mr. Remyse provided an annual report of the Dickinson Theodore Roosevelt Regional Airport. Advised the number one challenge will be the surfaces of the air field.

#### **SW District Health – Appoint Dr. Baer**

Southwest District Health Unit is requesting the appointment of Dr. Baer as the behavioral health officer.

**MOTION BY:** Commissioner Zander      **SECOND BY:** Commissioner Elkin

To approve recommendation and appoint Dr. Baer as the behavioral health officer.

**DISPOSITION:** Motion carried

### **Conditional Use Permit Renewals - Zoning**

Boyd and Company Construction, LLC for 24 existing construction workforce housing units in the Norwegian Creek Subdivision

**MOTION BY:** Commissioner Elkin                    **SECOND BY:** Commissioner Kuntz

To approve the conditional use permit as presented.

**DISPOSITION:** Roll call Vote. All voted aye. Motion carried.

Fisher Sand and Gravel Co. for a gravel pit on a 159.25-acre tract located in the SE4 of Section 27, Township 140, Range 95

**MOTION BY:** Commissioner Elkin                    **SECOND BY:** Commissioner Wolf

To approve the conditional use permit as presented.

**DISPOSITION:** Roll call Vote. All voted aye. Motion carried.

Fisher Sand and Gravel Co. for a gravel pit on a 160-acre tract located in the NE4 of Section 27, Township 140, Range 95

**MOTION BY:** Commissioner Elkin                    **SECOND BY:** Commissioner Zander

To approve the conditional use permit as presented.

**DISPOSITION:** Roll call Vote. All voted aye. Motion carried.

Aggregates Unlimited, LLC for a gravel pit on a 638.78-acre tract located in Section 4, Township 138, Range 91

**MOTION BY:** Commissioner Elkin                    **SECOND BY:** Commissioner Kuntz

To approve the conditional use permit as presented.

**DISPOSITION:** Roll call Vote. All voted aye. Motion carried.

Other Planning and Zoning Item – Jim Zeiter is requesting a Minor Subdivision for the Rearrangement of Lots 1 and 2 in the County Line Industrial Park Second Addition located in Section 4, Township 140, Range 96.

**MOTION BY:** Commissioner Elkin                    **SECOND BY:** Commissioner Zander

To approve the conditional use permit as presented.

**DISPOSITION:** Roll call Vote. All voted aye. Motion carried.

### **Richardton-Taylor School**

Received 5 mills for the 2013 tax year. There is a remainder of \$52,961.66 that is in the oil and gas fund. Requesting to pay the school and transfer remainder to the County Road Department.

**MOTION BY:** Commissioner Wolf                    **SECOND BY:** Commissioner Elkin

To pay the schools and transfer remainder to county road department.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried.

### **Discovery Benefits(Flex) – ND Pers**

Auditor Haag presented a resolution pertaining to the flexible spending account. The changes allow for a \$500 per year carry over and implement a debit card spending program.

**MOTION BY:** Commissioner Elkin                    **SECOND BY:** Commissioner Kuntz

To accept changes and authorize the chairman to sign the resolution.

**DISPOSITION:** Motion carried.

Auditor Haag advised that ND Pers is asking the County to appoint a lead compliance person for the affordable care act.

**MOTION BY:** Commissioner Elkin                      **SECOND BY:** Commissioner Wolf

To appoint Linda Krebs to this position.

**DISPOSITION:** Motion carried.

**Ambulance – Energy Impact**

Stark County acts as a pass-through agent on the energy impact grant program for the Dickinson Ambulance. Requesting reimbursement of which the Chairman will need to sign.

**MOTION BY:** Commissioner Wolf                      **SECOND BY:** Commissioner Kuntz

To authorize the chairman to sign the grant reimbursement request.

**DISPOSITION:** Motion carried.

**Bill Fahlsing – Burn Ban and Letter of Intent for Dispatch**

Mr. Fahlsing presented the 2014 Fire Emergency Declaration and Burn Ban Proclamation for Stark County. Advised that this is the standard declaration and proclamation that was put in place as presented in 2013. All fire chiefs were sent a copy and asked for input.

**MOTION BY:** Commissioner Zander                      **SECOND BY:** Commissioner Elkin

To allow the chairman to sign the Fire Emergency Declaration and Burn Ban Proclamation.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried.

Mr. Fahlsing also presented a letter of intent for the upgrade and move of dispatch addressed to the City of Dickinson. Mr. Fahlsing advised that the City employees the dispatch staff under the Dickinson Police Department while Stark County is responsible for the equipment. The City is requesting this letter to state that the County will continue to be responsible for the upgrade of the equipment and move of the primary public safety answering point. Mr. Fahlsing also stated that the move of the primary site is happening because the upgrade of the equipment which is now approximately 5 years past the end of life will allow for this operation and that we are not upgrading because of the move.

**MOTION BY:** Commissioner Zander                      **SECOND BY:** Commissioner Wolf

To allow the chairman and director of emergency services to sign the letter of intent.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried.

**Spirit Lifeline Ambulance – Ryan Elkin**

Mr. Elkin with Spirit Lifeline advised they are coming up on 1 year of operations in Stark County in June and have been welcomed as a great asset to the healthcare community. Mr. Elkin presented a community membership program and advised Billings County is currently participating. Through this membership, all residents of Stark County are covered in the event the air ambulance service is used to transport. Citizens who currently have health care covered will never get billed for their service. Those that do not have health care will receive a small portion which is the Medicare billable cost. The cost per household is approximately \$13.50 which equates to a total cost to Stark County of

\$128,812 per year. There is also a full membership option available to all residents for an additional \$35/month which covered transport in any of the med-trans networks nationwide. No action was taken at this time.

### **Courthouse Security**

Mr. Henning discussed some of the items that were presented in the report from the state and also advised he would send all commissioners a copy of the report for discussion at a later time. Some examples of security changes would be to lock the north doors with a pass card reader for employees. The largest discussion topic will be the manpower necessary to cover the main entrance.

### **Weed Control**

Commissioner Wolf presented a contract to the State's Attorney between the City of Dickinson and Stark County. Commissioner Wolf would like a MOU in regards to hiring 2 full-time employees.

**MOTION BY:** Commissioner Wolf                    **SECOND BY:** Commissioner Zander

To execute the contract with the City of Dickinson for the cost of \$50,000.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried.

**MOTION BY:** Commissioner Wolf                    **SECOND BY:** Commissioner Zander

To allow the chairman to sign the memorandum of understanding.

**DISPOSITION:** Motion carried.

### **Mental Health Contract**

Mr. Henning sent out a memo soliciting bids for mental health representation and received no bids back. Stark County received a previous bid from the existing provider which was presented at a prior meeting. There are two options. First option is to pay an hourly rate of \$165 for the service or option two of accepting the contract at a flat rate of \$1,800 per month.

**MOTION BY:** Commissioner Elkin                    **SECOND BY:** Commissioner Wolf

To accept the contract offer of \$1,800 per month with Mackoff Kellogg law firm.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried.

### **Harassment Policy**

Ms. Haag presented a proposed harassment policy to the Stark County Benefit Plan and Personnel Policy. This will be section 12.

**MOTION BY:** Commissioner Zander                    **SECOND BY:** Commissioner Elkin

To adopt revised harassment policy as noted in the handout.

**DISPOSITION:** Motion carried.

### **SWMCCC**

Commissioner Wolf advised that the Southwest Multi County Correction Center is able to hold 114 prisoners of which that number was reached in March of 2014 for the first time ever. The Women's prison too roughly 60 in 2003 and now has the ability to handle 126 comfortably. Reached 140 in March. They are looking to add 10 more beds in the maximum security section.

**Courthouse Remodel**

Commissioner Kuntz advised that we will not be able to add offices onto the 3<sup>rd</sup> floor in a new section overlooking the 2<sup>nd</sup> floor. At this point there is discussion on turning the jury room into an office. Primary concern with that option is finding a defined area for jurors to go.

**Floyd Hurt – City of South Heart**

The City of South Heart advised there is substantial damage and breakup on 121<sup>st</sup> Ave SW which is a county road that runs through the City of South Heart. Jamie Lefor with the City of South Heart Commission stated he was told that within the City limits, the road is the city’s responsibility and the county would not fix the road within those limits. The Stark County Board of Commissioners is in support to assist with this issue. Commissioner Wolf asked Jamie to identify some cost figures for repairing the road and asked to work with Mr. Heiser to present at a later Commission meeting.

**Social Service Building**

Commissioner Zander is looking at alternatives to the existing Social Service Building and is seeking authorization to have KLJ complete a space study.

**MOTION BY:** Commissioner Zander      **SECOND BY:** Commissioner Elkin To approve contract with KLJ to complete a space needs and cost assessment study on a new building versus a remodel not to exceed the amount of \$5,000.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried.

The following **Miscellaneous Receipts** were filed: General: \$290,607.85; County Road: \$217,384.13; Highway Tax Distribution: \$274,286.86; Social Services: \$86,014.94; IT-Computer/Updates: \$589.18; Capital Improvement: \$107,312.48; County Park: \$127.15; Insurance: \$1,361.88; Veteran’s Service Office: \$17,000.00; Social Security: \$2,727.70; County Agent: \$11.84; Weed Control: \$11,216.02; 911 Revenue: \$27,691.54; Adult Education: \$288.46; Asset Forfeiture: \$10,932.00; Fingerprint Station: \$32.00; Domestic Violence: \$875.00; Oil Impact Grant: \$1,823.90; NDBCI-Oil Grant: \$1,052.10; Cops Grant: \$18,911.49; Misc. Grants: \$40,363.07; Estimate Taxes: \$977.00; Game & Fish Licenses: \$7,489.00; Security/Transfer DJS Reimb: \$762.94; SW Victim Witness Program: \$6,383.91; Domestic Violence & Rape Crisis Center: \$853.47; Preservation Fee: \$13,564.75; Other Reimbursements: \$34,472.61; Judgement Execution: \$7,053.58; 911 Equipment: \$4,883.39;

**MOTION BY:** Commissioner Elkin      **SECOND BY:** Commissioner Wolf  
To adjourn the meeting.

**DISPOSITION:** Motion carried.

---

Kay Haag, Auditor

---

Russ Hoff, Chairman