

Official Proceedings

November 3, 2015
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. Commissioner Zander advised that the last item on the agenda should be a section line discussion, not section line closing. Auditor Haag provided information on the next Southwest County Association meeting and on Monday, November 30th and needs a head count of Commissioners that plan to attend the meeting.

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

To approve the agenda as presented with the changes.

DISPOSITION: Motion carried

Minutes

The minutes of the October 6, 2015 Board of County Commissioners meeting were presented.

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

To approve the minutes of the October 6, 2015 Board of County Commission minutes as presented.

DISPOSITION: Motion carried

Accounts Payable

Commissioner Zander questioned a credit received by Job Service. Auditor Haag advised this was a credit received from unemployment. Auditor Haag discussed a bill for 2 storage containers to Hauck Sales and Service and requested the motion include this charge to be taken out of capital improvements.

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

To approve the accounts payable with the supplement as presented with the invoice to Hauck Sales and Service out of Capital Improvements.

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

A bill was also presented for Don Jones relating to remodel work being conducted at the Law Enforcement Center.

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

To pay the presented bill along with all other bills related to the Law Enforcement Center remodel out of Capital Improvements.

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

General: Payroll: \$259,873.11; Radisson Hotel: \$400.50; Badlands Human Service Center: \$25.00; Clay County Sheriff: \$35.00; FedEx: \$38.74; Matthew Bender Co Inc: \$993.67; Thomson Reuters: \$568.05; Consolidated: \$447.15; Dakota Water Treatment: \$24.25; SBM Inc: \$2,195.86; Kathy Schwab: \$57.50; PFC Products Inc: \$274.83; Xerox

Corporation: \$720.03; Comfort Inn: \$720.00; MDU: \$2,359.47; Roughrider Electric: \$150.00; SW Water Authority: \$43.84; Visa: \$3,115.63; Action Cleaning Service: \$4,654.00; Braun Distributing: \$868.20; City of Dickinson: \$14,930.45; Clean Sweep Vacuum Center: \$138.44; Newby's Ace Hardware: \$142.33; Quality Xterminators: \$180.00; Rudy's Lock & Key: \$22.00; ND Secretary of State: \$5,762.29; Kay Haag: \$115.00; ND Pers: \$41,092.46; Job Service ND: \$2,120.58; ND Association of Counties: \$384.09; Mackoff Kellogg: \$1,800.00; Melbye Law Office: \$142.50; Wex Bank: \$7,215.74; Pamela Lynch: \$560.00; AT&T Mobility: \$2,023.92; Century Link: \$487.00; Quality Quick Print: \$1,753.30; Rita Wanner: \$3.20; Walmart: \$851.74; Forsgren Associates: \$31,375.41; Ralph Weisenberger: \$185.15; Dickinson Rural Fire Department: \$500,000.00; Gladstone Fire Department: \$75,000.00; Dickinson Parks & Rec: \$66.56; T-Rex Conoco: \$194.11; Heidi Alt: \$200.00; ND State Radio Commission: \$1,500.00; All American Travel: \$1,493.62; Best Western Plus: \$320.40; Matthew Keesler: \$138.42; National Sheriff Association: \$109.00; Peace Officer Standard Training Board: \$110.00; Great Plains Clinic: \$202.00; Dickinson Police Department: \$138.75; Advanced Business Methods: \$456.08; Balco Uniforms: \$1,325.75; Millie's Stitching: \$51.00; Uniform Center \$1,006.97; ND Dept of Transportation: \$11.50; Dickinson Tire: \$1,592.28; Electronic Communications: \$11,302.25; Light and Siren: \$2,557.00; O'Reilly Auto Parts: \$50.72; Parkway Ford Sales: \$140.00; Runnings: \$552.06; Watchguard Video: \$274.00; Farmers Union Oil: \$25.41; Tri-Energy Coop: \$95.94; Applied Concepts: \$47.80; Brownells Inc: \$89.19; Dell Marketing: \$238.80; Galls LLC: \$34.38; Hewlett-Packard: \$973.00; Logo Magic Inc: \$9.00; NDACO Resources: \$54.77; LEC Maintenance: \$19,047.97; Stark County Auditor (Federal Deposit): \$801.00; Sandra Engeland: \$112.70; AED Everywhere Inc: \$57.25; Dickinson Area Chamber of Commerce: \$2,050.00;

10 Mill: Kadrmas, Lee & Jackson: \$4,167.35; ND Department of Transportation: \$104.50;

County Road: Kadrmas, Lee & Jackson: \$6,211.65; All-In Service LLC: \$13,710.00; Boltz Construction: \$5,872.50; Hlebechuk Construction: \$21,362.50; Jurgens Trucking: \$16,350.00; Kathrein Trucking: \$45,180.00; Martin Construction: \$242,865.07; MBI Energy Logistics: \$6,727.50; Schwartz Construction: \$58,791.50; Nelson Fencing: \$1,941.98; Outback Lumber Supply: \$2,463.55; Ty Newton Fencing: \$21,920.00; North Central Rental & Leasing LLC: \$1,100.00; Onsite Improvements: \$4,605.00; West Plains Inc: \$1,500.00; Missouri Basin Well Service: \$6,900.00; Quality Xterminators: \$60.00; Val's Sanitation: \$180.00; MDU: \$339.28; AT&T Mobility: \$112.82; City of Belfield: \$34.60; City of Dickinson: \$98.85; Consolidated: \$54.04; MGM Rural Sanitation: \$195.00; Roughrider Electric: \$1,024.00; SW Water Authority: \$52.62; City of Richardton: \$76.90; Century Link: \$56.11; Acme Tools: \$439.98; Dickinson Supply: \$474.76; IBS Inc: \$180.03; Kimball Midwest: \$378.52; Lenny's Repair: \$89.71; Mac's Inc: \$38.75; ND Surplus Properties: \$1,700.00; Prairie Auto Parts: \$47.37; George's Tire Shop: \$25.00; J & J Operating: \$772.24; JP Steel & Supply: \$190.62; Just In Glass: \$353.04; Larry's Alignment: \$412.00; Midwest Hose & Supply: \$12.51; Nelson International: \$2,514.53; Road Equipment Parts: \$667.66; Sax Motor Co: \$757.08; Wallwork Truck Center: \$2,178.19; Westlie Crossroads: \$116.01; Butler Machinery:

\$4,840.76; Dakota Tool & Machine: \$60.00; DTE Truck Equipment: \$1,031.87; Fastenal Company: \$264.74; General Steel: \$93.15; George's Tire Shop: \$175.98; Hedahls: \$23.81; Runnings: \$125.97; Randy Dillinger: \$49.00; SW Grain: \$26,353.70; ABC Diesel Inc: \$99.33; Dakota Filter Supply: \$57.70; Hoist & Crane Services: \$1,356.23; Kohler Communications: \$48.00; ND Traffic Safety Services: \$1,382.40; NW Tire: \$2,685.63; Praxair: \$79.91; Roadworx LLC: \$13,568.10; Steffan Feeds: \$515.50; Northern Improvement: \$542,723.88; 3D Specialties: \$2,130.50; Lyle Signs Inc: \$263.55; Best Western Ramkota: \$343.96; Coca-Cola Bottling: \$294.00; Century Companies: \$162,143.83; Kadmas, Lee & Jackson: \$46,333.09; Lomco Inc: \$6,583.24; West River Striping: \$5,223.29; TrueNorth Steel: \$38,700.00; Winn Construction: \$30,000.00; Visa: \$159.56;

Highway Tax Distribution: Payroll: \$129,493.49; ND Pers: \$33,457.11; Radisson Hotel: \$80.10; Visa: \$146.00;

SP Road & Bridge: City of Belfield: \$78,000.00;

Social Welfare: Payroll: \$194,602.71; Wrap Around Check: \$150.00; ND Pers: \$56,147.74; NDACO: \$451.82; Dickinson Drop-In Daycare: \$85.00; ND Dept Of Human Services: \$5,890.72; Tara Bonham: \$58.66; ND Division of Health: \$7.00; Advanced Business Methods: \$129.48; AT&T Mobility: \$43.85; Braun Distributing: \$77.74; City of Dickinson: \$184.95; Comfort Suites: \$1,040.00; Consolidated: \$968.41; Dickinson Press: \$167.00; Electric Sales & Service: \$272.88; Bertie Gustafson: \$650.00; MDU: \$825.63; Diane Mortenson: \$270.94; Quality Xterminators: \$80.00; Record Keepers: \$33.00; Safety Works: \$250.00; SBM Inc: \$4,465.53; Sunrise Youth Bureau: \$3,483.75; The UPS Store: \$37.15; Visa: \$540.99; Walmart: \$622.29; Grant County Social Services: \$761.57;

County Poor: ND Dept of Human Services: \$30,527.52;

IT-Computer/Updates: NDACO Resources: \$10,161.17; Consolidated: \$247.47; Zuercher Technologies: \$43,705.80; Information Technology: \$1,014.80; Xerox Corporation: \$187.34; Vanguard Appraisals: \$8,400.00;

Capital Improvement: Consolidated: \$198.00; ETS Systems Inc: \$593.51; Hauck Sales & Service: \$11,600.00; Don Jones: \$789.00; Mid-West Doors: \$7,450.00; Midwest Elevators: \$43,307.50; Rudy's Lock & Key: \$793.00; PNC Equipment Financing: \$51,945.53;

County Park: Advanced Engineering: \$620.75;

Fair Board: Stark County Fair Board: \$1,551.72;

County Jail: SWMCCC: \$102,911.68;

Insurance Reserve: American Insurance: \$241.00;

Comp Health Care: ND Pers: \$41,402.15; Blue Cross Blue Shield: \$447.20;

VSO Fund: Payroll: \$8,207.86; Cambria Suites: \$480.60; Dakota Water Treatment: \$5.00; Veteran's Information Service: \$55.00; Consolidated: \$62.03; Country Media Inc: \$20.00; NDACO: \$22.04;

Social Security: Stark County Auditor (Federal Deposit): \$43,212.94;

Advertising: Dickinson Press: \$179.42;

County Agent: Payroll: \$4,782.90; ND Pers: \$591.73; Kurt Froelich: \$309.35; Visa: \$368.58; Samantha Roth: \$35.00; Consolidated: \$152.35; Pitney Bowes Inc: \$432.54; Xerox Corporation: \$82.03; NDACO: \$22.04;

Weed Control: Payroll: \$16,216.87; ND Pers: \$4,091.44; AT&T Mobility: \$83.24; Walmart: \$128.68; Menards: \$966.07; Runnings: \$561.81; Pump Systems LLC: \$331.11; NDACO: \$44.08; ND Dept of Transportation: \$20.00; ND Pers: \$855.33; Stark County Auditor (Federal Deposit): \$235.17;

9-1-1: Payroll: \$5,213.53; ND Pers: \$1,936.44; Stark County Auditor (Federal Deposit): \$367.73; City of Dickinson: \$12,392.50; Century Link: \$1,617.50; Consolidated: \$431.00;

Fingerprint Station: Sirchie: \$72.04;

Domestic Violence: State Treasurer: \$735.00;

Oil Impact Grant: Payroll: \$4,815.45;

Oil3061 States Attorney: Payroll: \$3,276.00; ND Pers: \$500.17; Stark County Auditor (Federal Deposit): \$250.26;

Traffic Safety Grant: Payroll: \$1,551.72;

Misc Grants: Balco Uniforms: \$795.00;

SW Victim Witness Program: Payroll: \$5,633.33; ND Pers: \$1,295.75; SBM Inc: \$509.71; AT&T Mobility: \$85.42; Consolidated: \$44.18; Stark County Auditor (Federal Deposit): \$413.16;

Hazardous Chemical Prep: Dickinson Press: \$103.92;

DVRCC: Domestic Violence: \$797.50;

Preservation Fee: Tyler Technologies: \$1,823.26;

State Reimbursements: Jesse Becker: \$25.00; Thomas Grosz: \$25.00; Kenneth Decker: \$25.00; Bryan J Miller: \$25.00; Brodie Fettig: \$25.00; Nathaniel Younkin: \$25.00; Justin W White: \$25.00; Matthew Hanson: \$25.00;

Siren Contingency: Roughrider Electric: \$231.00;

Other Reimbursements: Consolidated: \$283.99; Visa: \$431.65; PNC Equipment Finance: \$19,488.77; Pharm Chem Inc: \$250.00; Office of Attorney General: \$12,125.00; Ryan Aschoff: \$120.00; Todd Bailey: \$15.00; Damon Butterfield: \$37.00; Jonathon Durno: \$45.00; Devin Neitzel: \$85.00; Nicole Simonson-Hill: \$92.00; Jeffrey Tibstra: \$40.00; Michael Kasian: \$20.00; Holly Bloodsaw: \$773.76; Visa: \$75.45;

Judgement Execution: Stark County Sheriff: \$320.00; AR Audit Services: \$931.28;

BCI-Task Force Grants: Payroll: \$12,646.31; ND Pers: \$3,026.91; SW Narcotics Taskforce: \$7,055.61; Stark County Auditor (Federal Deposit): \$1,019.39; NDACO: \$33.06; Electro Watchman: \$299.40; Jerome Distributing: \$24.00; Synch/Amazon: \$263.85; Consolidated: \$66.91; Verizon Wireless: \$725.15; Wex Bank: \$508.79;

911 Equipment: Advanced Business Methods: \$29.50; Menards: \$62.62; NDACO Resources: \$518.12; Consolidated: \$63.16;

Sheriff Oestreich

Sheriff Oestreich provided his monthly report which included the following:

- 68 criminal papers were received and 63 were served;
- The arrest tally included 9 accidents, 191 stops, 141 citations, and 53 warnings;
- 112 civil papers were received and 109 were served;
- Transports included 4 criminal, 30 daily court, 5 mental health, and 1 juvenile;
- The truck reg. program had a total of \$9,600 in fines and \$30,363.40 in permits;
- The 24/7 program had a total of \$28.81 in revenue.
- There were a total of 307.5 hours of overtime. These hours are high however each weekend in October had alcohol grant overtime hours.

Sheriff Oestreich updated the Commission on an investigative school in Las Vegas December 6-11 and requested out-of-state travel for his two detectives. This cost will come out of the training budget.

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

To approve the out-of-state travel request as presented.

DISPOSITION: Motion carried

A North Dakota Department of Transportation grant was presented on behalf of the Sheriff's Department for the Chairman's signature.

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

To authorize the Chairman to sign the DOT Grant presented.

DISPOSITION: Motion carried

Truck Reg/Courthouse Security – Sheriff Oestreich advised that Deputy Franchuk is now running the courthouse security post and advised that all deputies are trained in truck reg and the department is working to fill the truck reg officer position.

Road Superintendent - Al Heiser

Mr. Heiser provided a monthly report to the Commissioner's regarding the Road Department's activities.

Mr. Heiser advised that the bridge by Richardton will be installed on Thursday at 8 a.m. and invited anyone that wishes to see the installation to attend. All prep work for the installation has been completed.

Section Line Discussion

Derrick Braaten presented on behalf of the land owners and provided a letter outlining the issue. The road right-of-way between Sections 2 and 3, Township 139N, Range 98W contains an obstruction. Specifically, the right-of-way is obstructed by a fenced in cattle alleyway, and is also obstructed by an unused sewer pipe running parallel to the center line of the alleyway.

It was discussed that the County Road Policy was amended a number of years ago. There is no specifically authorization of this road however the policy does allow roads to be built to county specs. No action was taken.

County Engineer – Justin Hyndman

Mr. Hyndman provided the following updates:

- 32nd St SW Green River Bridge – Meyer Contracting. Project records have been submitted to NDDOT. Waiting on documents from contractor.
- 115th Ave SW Saetz Bridge – Schwartz Construction. Project complete, final submitted to NDDOT.
- 38th St SW CMC 4512 Phase 2 Additional Aggregate Base and Paving 2.0 miles – Bid opening November 3rd at 11:00 am at Billings County.
- 32nd St SW CMC 4527 Grading and Aggregate 1 mile – Project is complete. KLJ working on project final.
- 32nd St SW CMC 4527 Paving 1 mile – Project is complete. KLJ is working on project final.
- 112th Ave SW 30th to 32nd CMC 4521 Grading and Aggregate 2.3 miles – Project is complete. KLJ is working on project final. KLJ will complete wetland monitoring to satisfy the USACE.
- 112th Ave SW 32nd to 33rd CMC 4521 Paving 1 mile – Project is complete. KLJ is working on project final.
- 112th Ave SW Green River Bridge 120-03.0 – Scheduled for February 2016 bid opening. Received an approved CATEX for the project. KLJ is working on PS&E plans. Stark County to obtain ROW.
- Bridge 45-141-20.0 – KLJ is working on plans. USACE permit has been obtained. Stark County to obtain temporary easements.

- Bridge 45-142-20.0 – KLJ is working on plans. USACE permit has been obtained. Stark County to obtain temporary easements.
- Bridge 45-142-20.1 – KLJ is working on plans. USACE permit has been obtained. Stark County to obtain temporary construction easements.
- South Heart Road CMC 4511 Mill and Overlay 1 mile – Preliminary survey has been completed. KLJ is working on plans.
- HWY 10 Dickinson to 83rd Ave SW Overlay and Chip Seal 23 miles – KLJ is working on environmental and preliminary surveys.
- 32nd St SW and 105th Ave SW Reconstruct – KLJ is working on environmental and preliminary surveys.
- 112th Ave SW from 34th St SW to 33rd St SW 1 mile reconstruct – KLJ is working on environmental and preliminary surveys.

Belfield Ambulance Building Request

The Belfield Ambulance Service is looking at expanding the storage area and is short \$312,000. Previous discussion was to provide 25% of this cost to be taken out of the Special Road and Bridge project fund. The Commission would like Belfield Ambulance present an update on the project. Ms. Haag will schedule this for the next meeting.

Public Hearing – Delinquent Tax Property – Objections Min. Price

Ms. Haag published the minimum values that would be set for the 2 delinquent properties and will now need to notify the City Auditor's for the properties.

Chairman Hoff opened the public hearing.

There were no comments from the public.

Chairman Hoff closed the public hearing.

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

To approve the minimum values set by the Auditor.

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

Motion to Amend Executive Meeting

State's Attorney Henning advised that the complaint filed for open records has been satisfied. The Attorney General's office also advised that there was no motion or statement regarding an Executive Session during the May 5, 2015 Board of County Commissioner's meeting. Mr. Henning advised that the purpose of the Executive Session in question was for attorney consultation on a law suit and obtaining an attorney request filed through NDIRF.

Attendant Care Grant Agreement – Sunrise Youth Bureau

The grant agreement was presented to the Board of County Commissioners for the Chairman's signature.

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

To authorize the Chairman to sign the grant agreement as presented.

DISPOSITION: Motion carried

Holidays – Xmas and New Years

Auditor Haag advised that Christmas is on a Friday this year. We are closed at noon on Christmas Eve. Employees have requested that we be closed for both Christmas Eve and Christmas Day and work until noon on New Year's Eve.

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

To approve the request for December 24th and 31st as presented.

DISPOSITION: Motion carried

Vacation Policy

A policy change was presented to the Board of County Commissioners regarding vacation time accrual. The amendment states "If an employee leaves employment with Stark County, and is rehired at a later date, their previous employment with Stark County will not be included to establish the amount of vacation hours earned per month." If adopted, the effective date will be today.

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

To approve the policy change as presented.

DISPOSITION: Motion carried

Wix Barn & Lodge – Beer/Liquor License

Auditor Haag advised that the Wix Barn and Lodge has applied for both a beer and liquor license of which the County can charge no more than \$500 per license. They have submitted the application for both licenses for 2016 and have requested the licenses for 2015 be pro-rated for the remainder of the year.

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

To pro-rate the 2015 license fees with the understanding they need to submit new application and pay full value for 2016.

DISPOSITION: Motion carried

The following Miscellaneous Receipts were filed: General: \$290,413.35; County Road: \$171,798.40; Highway Tax Distribution: \$269,077.37; Social Services: \$5,215.63; IT-Computer/Updates: \$212.80; Capital Improvement: \$129,484.13; County Park: \$7.33; Weed Control: \$3,607.77; 911 Revenue: \$28,087.88; Adult Education: \$541.45; Fingerprint Station: \$128.00; Domestic Violence: \$385.00; Estimate Taxes: \$14,229.25; Game & Fish Licenses: \$13,964.00; Security/Transfer DJS Reimb: \$357.42; SW Victim Witness Program: \$2,019.50; Domestic Violence & Rape Crisis Center: \$797.50; Preservation Fee: \$1,548.00; Other Reimbursements: \$11,725.61; Judgement Execution: \$1,251.28; 911 Equipment: \$4,956.74;

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

To adjourn the meeting.

DISPOSITION: Motion carried

Kay Haag, Auditor

Russ Hoff, Chairman