

## Official Proceedings

October 4, 2016  
8:00 am

Chairman Hoff called the meeting of the Stark County Board of Commissioners to order. Commissioners Zander and Kuntz absent.

### Agenda

Chairman Hoff asked for any additions or deletions to the agenda. The EEOP Utilization Plan discussion item was removed.

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

To approve the agenda as presented with the additions.

**DISPOSITION:** Motion carried

### Minutes

The minutes of the September 20, 2016 Board of County Commissioners meeting were presented.

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

To approve the minutes of the September 20, 2016 Board of County Commission minutes as presented.

**DISPOSITION:** Motion carried

### Accounts Payable

Commissioner Hoff questioned the invoice from the Office of the State Auditor. Ms. Haag advised that this is a yearly charge for the County audit.

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

To approve the accounts payable with the supplement as presented.

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

Mr. Fahlsing presented an invoice from Keitu Engineer's for a hazardous materials traffic flow study. The total invoice is in the amount of \$18,450. A grant will be covering \$15,351.08 with the remaining balance of \$3,098.92 coming out of the LEPC fund.

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

To pay the invoice to Keitu Engineer's as presented.

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

An invoice from Shulte Consulting was presented for the needs assessment of the addiction program. The assessment will be presented at the next Commission meeting.

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

To pay the Shulte Consulting invoice as presented out of the General fund.

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

An invoice for the University of Tennessee National Forensic Academy was presented. This is for a crime scene processing school with the Sheriff's Department.

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

To approve the University of Tennessee invoice as presented.

**DISCUSSION:** If the Sheriff's Department employee is no longer employed at the time of the training, the payment holds a slot and another individual will be selected.

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

**General:** Payroll: \$276,731.57; Duane Wolf: \$471.15; Ken Zander: \$108.00; Thomson Reuters: \$568.05; Dakota Water Treatment: \$25.50; SBM Inc: \$1,365.40; Secretary of State: \$36.00; Ian Wise: \$145.29; JobsHQ: \$310.40; Xerox Corporation: \$1,056.12; Comfort Suites: \$320.00; Natalie Wandler: \$125.50; MDU: \$2,383.71; Consolidated: \$747.35; Roughrider Electric: \$161.03; SW Water Authority: \$49.81; Border States Electric: \$247.22; Braun Distributing: \$481.46; Martin's Welding: \$403.00; Menards: \$130.02; Newby's Ace Hardware: \$183.55; Prairie Auto Parts: \$29.98; Quality Quick Print: \$132.00; Rudy's Lock & Key: \$24.00; Steffan's Saw & Bike: \$10.00; Uline: \$153.78; City of Dickinson: \$16,362.40; Walmart: \$234.99; Kay Haag: \$145.28; ND Pers: \$82,664.05; Blue Cross Blue Shield: \$627.20; Humana Insurance: \$18.40; Discovery Benefits: \$126.50; Stark County Auditor (Federal Deposit): \$45,540.13; NDACO: \$93.00; Andrew S Marquart: \$173.52; Stutsman County Auditor: \$285.00; Wex Bank: \$5,327.25; Tri-Energy Coop: \$28.76; Office of the State Auditor: \$18,600.00; Action Cleaning: \$435.00; Duraclean Cleaning: \$632.70; Electric Sales & Service: \$65.00; Pamela Lynch: \$490.00; Dickinson Press: \$570.15; Century Link: \$487.00; AT&T Mobility: \$938.17; NeoFunds by NeoPost: \$3,000.00; Advanced Business Methods: \$926.63; Dacotah Paper: \$368.90; Dakota Business Machines: \$19.00; Farm & Home Publishers: \$545.00; MailFinance: \$1,940.88; Visa: \$3,477.80; Forsgren: \$12,681.74; ND Youth Correctional Center: \$569.96; Pine County Sheriff: \$88.80; Schulte Consulting: \$5,000.00; ND Department of Trust Lands: \$25.00; Dickinson Parks & Rec: \$33.28; T-Rex Conoco: \$64.12; All American Travel: \$571.95; Holiday Inn: \$432.00; Reiter Welding: \$120.00; University of Tennessee National Forensic Academy: \$9,500.00; POST Board: \$45.00; Chief Law Enforcement: \$113.89; Dickinson Area Ambulance: \$1,037.07; Balco Uniforms: \$126.05; Millie's Stitching: \$134.00; Uniform Center: \$15.98; Parkway Ford: \$353.99; Runnings: \$521.13; Sax Motor: \$717.81; David Wallace Jr: \$548.62; Brownells Inc: \$159.74; Jesse Hoff: \$84.99; LEC Maintenance: \$17,447.86; Stevenson Funeral Home: \$457.00; NDACo Resources: \$8,496.90; Information Technology: \$2,646.45; Tyler Technologies: \$60,581.40; ND Association of Oil & Gas Producing Counties: \$5,500.00;

**10 Mil:** ND Department of Transportation: \$25,729.17;

**County Road:** Kadrmas, Lee & Jackson: \$126,389.65; Boltz Construction: \$11,290.00; Hlebechuk Construction: \$11,543.75; Jurgens Operating: \$28,005.00; Kathrein Trucking: \$19,267.50; Northern Improvement: \$2,212.50; Edward Schwartz Construction: \$15,153.42; Nelson Fencing: \$4,440.20; Outback Lumber Supply: \$2,563.80; Steffan Feeds: \$3,339.00; Ty Newton Fencing: \$4,120.00; North Central Rental: \$6,889.00; Big D & E Auction: \$2,500.00; NW Tire: \$23,507.99; MDU: \$396.29; City of Belfield: \$27.50; City of Dickinson: \$100.85; Consolidated: \$55.38; Roughrider Electric: \$799.00; SW Water Authority: \$691.62; City of Richardton: \$101.35; Century Link: \$56.42; Braun Distributing: \$23.00; Menards: \$55.95; Newby's Ace Hardware: \$32.42; Runnings: \$254.18; Total Safety USA: \$125.00; Diamond Truck Equipment: \$216.44;

Dickinson Supply: \$771.26; Just In Glass: \$305.39; Mr. Sunshine Upholstery: \$275.00; Nelson International: \$18.80; Pump Sytems: \$650.33; Westlie Truck Center: \$1,322.19; ND Department of Transportation: \$10.00; Visa: \$1,039.97; Butler Machinery: \$5,019.64; Dakota Filter Supply: \$28.00; Lenny's Repair: \$132.95; RDO Trust: \$1,506.05; SW Grain: \$6,853.51; West Dakota Oil: \$24,836.25; Belfield Automotive: \$6.48; Bosch Lumber Company: \$31.43; Energy Systems: \$72.65; ETSystems Inc: \$321.30; General Steel: \$160.20; Lawson Products: \$109.69; Mann's Plumbing: \$369.48; Mid-West Doors: \$85.00; Rockmount Research: \$1,026.52; Steffan's Saw & Bike: \$113.98; TrueNorth Steel: \$618.58; Menards: \$109.96; Border States Paving: \$275,524.49; Western Emulsion: \$23,995.86; 3D Specialties: \$5,320.14; Lyle Signs: \$1,782.82; Dickinson Press: \$34.02; Farm & Home Publishers: \$30.00; Logo Magic: \$333.00; Mulligan's Catering: \$350.00; Visa: \$400.00; Martin Construction: \$150,032.37; Northern Improvement: \$551,425.27;

**Highway Tax Distribution:** Payroll: \$128,583.28; ND Pers: \$35,193.28;

**SP Road & Bridge:** Kadrmas, Lee & Jackson: \$2,673.21;

**Social Welfare:** Payroll: \$200,192.44; Discovery Benefits: \$143.00; NDACo Resources: \$2,593.40; Wrap Around Check: \$1,427.47; ND Pers: \$55,904.80; Dickinson Parks & Rec: \$20.80; AT&T Mobility: \$44.10; Braun Distributing: \$52.60; City of Dickinson: \$241.98; Comfort Suites: \$727.60; Consolidated: \$1,292.41; Electric Sales & Service: \$62.95; 4 Seasons Trophies: \$20.00; Bertie Gustafson: \$700.00; K & M Cabinetry: \$1,500.00; Kelly Inn: \$80.10; MDU: \$1,017.47; NDACSSB: \$49.00; Newby's Ace Hardware: \$58.84; Pitney Bowes Inc: \$306.89; Pro Tint: \$1,350.00; Quality Quick Print: \$148.89; Record Keepers: \$33.00; Reserve Account: \$4,500.00; SBM Inc: \$1,888.91; Visa: \$615.94; Walmart: \$260.28;

**Capital Improvement:** Tom's Heating Service: \$8,435.00; Central Mechanic: \$28,800.00; Jesse Braun Electric: \$4,914.00; Don Jones: \$875.00; Zeller Construction: \$35,598.00; LEC Maintenance: \$6,258.50; JLG Architects: \$7,555.06; ND Scull Construction: \$363,896.39;

**County Jail:** Lake Region Law Enforcement Center: \$1,125.00; SWMCCC: \$123,635.99;

**VSO Fund:** Payroll: \$7,817.55; Jessica Clifton: \$566.60; Dakota Water Treatment: \$3.75; Quality Quick Print: \$139.00; Consolidated: \$78.14;

**County Agent:** Payroll: \$4,017.20; ND Pers: \$613.02; NDSU Extension Service: \$30,967.09; Visa: \$295.64; Kurt Froelich: \$35.00; Samantha Roth: \$35.00; Consolidated: \$163.69; Agvise Laboratories: \$154.03; SBM Inc: \$70.68; Xerox Corporation: \$86.60; NDSU: \$100.00;

**Weed Control:** Payroll: \$17,426.20; Kaye Jessen: \$50.44; ND Pers: \$5,034.71; AT&T Mobility: \$41.77; Menards: \$259.01; Runnings: \$271.54; Mac's Inc: \$49.98; O'Reilly

Automotive: \$772.57; Sax Motor Company: \$25,099.00; ND Department of Transportation: \$10.00; Walmart: \$19.98; Stark County Auditor (Federal Deposit): \$247.64;

**9-1-1:** Payroll: \$5,422.07; ND Pers: \$1,968.26; Stark County Auditor (Federal Deposit): \$382.69; City of Dickinson: \$12,982.91; Comfort Inn: \$160.00; Corporate Translations: \$13.70; Information Technologies: \$4,900.22; Consolidated: \$659.00; NDACO: \$15,624.87;

**Domestic Violence:** State Treasurer: \$735.00;

**Oil Impact Grant:** Payroll: \$5,008.07;

**Traf Safety PHSPID Grant:** Payroll: \$2,522.57;

**Misc Grants:** Dive Rescue International: \$5,244.62;

**Security/Transfer DJS Reimb:** Wex Bank: \$144.30;

**SW Victim Witness Program:** Payroll: \$5,746.00; Discovery Benefits: \$5.50; SBM Inc: \$61.15; ND Pers: \$1,312.95; Consolidated: \$45.98; Stark County Auditor (Federal Deposit): \$417.75;

**Hazardous Chemical Prep:** \$3,098.92;

**DVRCC:** Domestic Violence: \$452.46;

**State Reimbursements:** Nathaniel Younkin: \$25.00; Justin Fridrich: \$75.00; Jeremy Moser: \$25.00; Justin White: \$25.00; Matthew Hanson: \$25.00; John Hiltunen: \$25.00; Phillip Worley: \$25.00;

**Other Reimbursements:** Keitu Engineers: \$15,351.08; Radisson Hotel: \$400.50; Consolidated: \$271.02; Visa: \$207.75; Pharm Chem Inc: \$775.00; Office of Attorney General: \$5,670.00; Zane Perry: \$125.00; Richard Reed: \$16.00;

**Judgement Execution:** Mark Nelson DDS: \$250.00; Stark County Sheriff: \$144.20; Isaac Frimpong Thompson: \$1,429.74;

**BCI-Task Force Grants:** Payroll: \$13,310.79; Discovery Benefits: \$11.00; Stark County Auditor (Federal Deposit): \$935.24; ND Pers: \$2,847.81; Dickinson Parks & Rec: \$4.16; Synch/Amazon: \$127.96; Galls: \$120.00; Visa: \$621.22; Consolidated: \$67.98; Verizon Wireless: \$552.70; Wex Bank: \$599.61; Janelle Groll: \$243.60;

**911 Equipment:** Advanced Business Methods: \$23.60; Penguin Management: \$2,568.00; Consolidated: \$179.87;

### **Sheriff Oestreich**

Sheriff Oestreich provided his monthly report which included the following:

- 187 criminal papers were received and 119 were served;
- The arrest tally included 7 accidents, 97 stops, 56 citations, and 30 warnings;
- 144 civil papers were received and 103 were served;
- Transports included 14 criminal, 21 daily court, 1 medical, 10 mental health, and 6 juveniles;
- The truck reg. program had a total of \$9,520.00 in fines and \$414,435.70 in permits;
- The 24/7 program had a total of \$896.00 in revenue.

Sheriff Oestreich is requesting out-of-state travel for Detective Wallace to attend a one-week school on evidence equipment. Flight and tuition costs equal \$700.

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

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

**DISPOSITION:** Motion carried

Sheriff Oestreich also advised that there are approximately 3,300 outstanding warrants in Stark County.

### **Road Superintendent - Al Heiser**

Mr. Heiser presented his monthly report. Advised the department is wrapping up all of the surge funding projects. There is a possibility there will be \$1.25 to \$1.5 Million left to spend and requesting the project to include Highway 10 from South Heart to the Interstate. The surge funding project needs to be allocated by June of 2017.

### **County Engineer – Justin Hyndman**

Mr. Hyndman provided the following monthly report:

- 38<sup>th</sup> St SW CMC 4512 Phase 2 Additional Aggregate Base and Paving 2.0 miles – Northern. Final inspection letter sent. NIC to review quantities.
- 112<sup>th</sup> Ave SW 30<sup>th</sup> to 32<sup>nd</sup> CMC 4521 Grading and Aggregate 2.3 miles – KLJ will complete wetland monitoring to satisfy the USACE. Submitted 2016.
- 112<sup>th</sup> Ave SW Green River Bridge 120-03.0 – Wanzek. Final inspection scheduled for 09-29-2016.
- Bridge 45-141-20.0 – Kanyon, working on wingwalls.
- South Heart Road CMC 4511 Mill and Overlay 1 mile – Northern Improvement. Working on punch list items.
- HWY 10 Dickinson to 83<sup>rd</sup> Ave SW Overlay and Chip Seal 23 miles – Border States. Working on punch list items.
- 112<sup>th</sup> Ave SW from 34<sup>th</sup> St SW to 33<sup>rd</sup> St SW 1 mile reconstruct – Martin. Final inspection letter sent. Martin to review quantities.
- HWY 10 116<sup>th</sup> Ave SW to I-94 Business Loop and 116<sup>th</sup> Ave SW from HWY 10 south to the Refinery – Northern. Working on punchlist items.
- South Heart, Main Ave E Paving – Working on punch list items.
- Bull Creek Structure Replacement – Scheduled environmental and preliminary surveys. 2017 construction.

- Green River Bridge Structure 45-123-3.0 Replacement – Scheduled environmental and preliminary surveys. 2017 construction.
- Structure 45-134-03.0 Replacement – scheduled environmental and preliminary surveys. 2017 construction.
- Structure 45-138-21.0 – Scheduled environmental surveys. Waiting on a recommendation from the NDDOT.
- TRIP Application – Final decision mid November.

Mr. Hyndman also gave a video presentation on completed projects in Stark County. KLJ will be using their drone prior to and at the conclusion of the wind farm projects to inspect impacted roads.

### **NDACo Conference**

Ms. Haag provided the schedule of events, meals, and bus service for the annual NDACo Conference.

### **Delinquent Tax Properties – Set Appraisals**

Ms. Haag presented five delinquent tax properties. The listed amount is three years of unpaid taxes. The property owner needs to pay the full amount to receive the property back. The tax sale will be held the third Tuesday in November. The bidding will start at the minimum listed value and those properties that do not sell will be offered back to the City of Belfield.

**MOTION BY:** Commissioner Wolf

**SECOND BY:** Commissioner Elkin

To accept the minimum value as presented and proceed with the sale of the properties.

**DISPOSITION:** Motion carried

### **Phone Reimbursement Motion**

Ms. Haag presented changes to the cellular phone reimbursement policy. Employees who receive the reimbursement will have the option of a taxable reimbursement of which no cellular bill statements will need to be provided or a non-taxable reimbursement of which employees will need to provide cellular phone statements.

**MOTION BY:** Commissioner Elkin

**SECOND BY:** Commissioner Wolf

To accept the changes as presented with the reimbursement rate set at \$35.00, Bill Fahlsing at \$50.00 and Al Heiser at \$85.00.

**DISPOSITION:** Motion carried

### **Baker Boy – Resolution Manufacturing Day**

A manufacturing day resolution was presented. Manufacturing day is October 12, 2016. The event will target all Southwest schools.

**MOTION BY:** Commissioner Elkin

**SECOND BY:** Commissioner Wolf

To accept resolution 10-4-2016 and proclaim October 12, 2016 as Manufacturing Day.

**DISPOSITION:** Motion carried

### **Zoning**

Gerald and Melody Buresh are requesting a variance to the maximum square footage requirement for an accessory structure. The property is located at 3147 111E Ave SW and is approximately 0.92 acres in area. Mr. Josephson advised this is to place a garage on the property and listed two conditions. Staff along with Planning and Zoning recommend approval.

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

To approve the variance as presented with the conditions.

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

### **Butch Pribyl – Plat**

It was advised that Mr. Pribyl has met the conditions of the final plat and therefor the recommendation is being made to approve the final plat. The road agreement is binding between Stark County and Mr. Pribyl.

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

To approve the final plat as presented with the conditions.

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

### **Budget Hearing Notice**

Ms. Haag advised she made the requested changes to the Stark County 2017 budget discussed at the previous Commission meeting. An overview of the taxable mills was presented and the 2017 budget is showing a decrease of 0.67 mills.

Chairman Hoff opened the public hearing.

Gaylon Baker from the Stark Development and Jobs Authority thanked the Commission for their support. Commissioner Elkin advised Mr. Baker that if additional funding is needed they may bring the request before the Commission.

No other public comments were received.

Chairman Hoff closed the public hearing.

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

To accept the 2017 budget as presented by the Auditor's office.

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

### **Scull Construction**

An overview of the Courthouse expansion project progress was presented to the Commission. Change order G001 was presented at a cost of \$17,445.00 which will be covered under the contingency funding.

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

To accept change order G001 in the amount of \$17,445.00 as presented and authorize the Chairman to sign.

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

### **LEC Remodel Change Orders**

Mr. Remark also presented three change orders for the Law Enforcement Center remodel project. The change orders are as follows:

- G001 - \$4,030.00 for general construction
- M001 - \$12,411.42 for mechanical construction
- E001 - \$11,898.00 for electrical construction

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

To accept change orders G001, M001, and E001 as presented with the listed amounts and authorize the Chairman to sign.

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

Mr. Remark will also obtain quotes to repair the roof of the Law Enforcement Center and present at the next County Commission meeting.

The following Miscellaneous Receipts were filed: General: \$220,846.37; 10 Mil: \$29,449.20; County Road: \$672,898.75; Highway Tax Distr: \$270,097.36; SP Road & Bridge: \$8,847.77; Social Services: \$12,618.26; Capital Improvement: \$540,001.99; Emergency Fund: \$2,949.26; County Agent: \$6,852.69; Weed Control: \$43,611.07; 911 Revenue: \$21,437.73; Adult Education: \$144.13; Fingerprint Station: \$293.00; Domestic Violence: \$490.00; Oil Impact G160112 Grant: \$15,024.20; Traf Safety PHSPID Grant: \$2,522.57; Misc Grants: \$2,744.62; Estimate Taxes: \$3,054.49; Security/Transfer DJS Reimb: \$177.60; SW Victim Witness Program: \$22,327.03; Domestic Violence & Rape Crisis Center: \$452.46; Preservation Fee: \$1,239.00; State Reimbursements: \$882.00; Other Reimbursements: \$10,322.27; Judgement Execution: \$1,823.94; BCI Task Force: \$40,566.60; 911 Equipment: \$5,780.53;

**MOTION BY:** Commissioner Wolf

**SECOND BY:** Commissioner Elkin

To adjourn the meeting.

**DISPOSITION:** Motion carried

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Kay Haag, Auditor

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Russ Hoff, Chairman