

Official Proceedings

October 6, 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 removed the Courthouse Addition discussion. Chairman Hoff added Forsgren under discussion.

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

To approve the agenda as presented with the changes.

DISPOSITION: Motion carried

Minutes

The minutes of the September 15, 2015 Board of County Commissioners meeting were presented.

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

To approve the minutes of the September 15, 2015 Board of County Commission minutes as presented.

DISPOSITION: Motion carried

Accounts Payable

Commissioner Zander questioned the bill for the State Auditor in the amount of \$17,750. Ms. Haag advised this is for the required annual audit.

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

To approve the accounts payable with the supplement as presented.

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

General: Payroll: \$262,462.75; Ken Zander: \$115.00; Kay Haag: \$115.00; SAHRA: \$35.00; Cockle Legal Briefs: \$823.52; Thomson Reuters-West: \$714.65; American Insurance: \$50.00; Dakota Water Treatment: \$20.50; Gaffaney's Floral: \$83.00; SBM Inc: \$1,147.07; Walmart: \$435.11; Xerox Corporation: \$710.82; Diane Brines: \$122.20; Tiffany Conrad: \$70.00; Natalie Wandler: \$70.00; Berger Electric: \$738.67; Quality Quick Print: \$327.00; MDU: \$2,686.18; Consolidated: \$472.56; Roughrider Electric: \$150.00; SW Water Authority: \$51.29; Braun Distributing: \$255.68; Clean Sweep Vacuum Center: \$30.97; Denny's Electric: \$189.63; Mac's Inc: \$9.00; Newby's Ace Hardware: \$77.44; Nitro-Green: \$301.00; Runnings: \$305.81; Sherwin-Williams: \$67.88; T-Rex Conoco: \$105.24; City of Dickinson: \$15,299.86; Visa: \$2,090.52; NDPers: \$41,542.35; NDACO: \$229.00; Sacajawea Substance Abuse Counseling: \$262.50; Mackoff Kellogg: \$1,800.00; Gregory Ian Runge: \$382.93; Sandness Law Office: \$81.00; Office of the State Auditor: \$17,750.00; Pamela Lynch: \$700.00; AT&T Mobility: \$1,986.65; Century Link: \$487.00; CMRS-PB: \$10,000.00; US Postal Service: \$50.00; Dacotah Paper Co: \$368.90; Farm Home Publishers: \$100.00; Logo Magic Inc: \$342.00; Pitney Bowes: \$888.60; Thompson Information Services: \$2,107.96; Uniform

Unit of Dickinson: \$1,279.40; Forsgren Associates: \$44,559.46; Elks 1137: \$80.70; Taylor Fire District: \$50,000.00; ND Dept of Trust Lands: \$29.36; Dickinson Parks & Rec: \$66.56; ND Post: \$630.00; Peace Officer Standards & Training Board: \$220.00; Great Plains Clinic: \$390.00; Rudy's Lock & Key: \$45.00; Advanced Business Methods: \$405.35; Balco Uniforms: \$71.60; Millie's Stitching: \$49.50; Dickinson Tire: \$916.52; East End Auto: \$1,085.00; Electronic Communications: \$5,315.00; Legend Auto Body: \$1,900.80; O'Reilly Auto Parts: \$5.99; Parkway Ford Sales: \$21,997.16; Roughrider Speed Center: \$819.98; Sax Motor Company: \$478.25; Farmers Union Oil Company: \$25.12; Tri-Energy Coop: \$20.85; Wex Bank: \$6,951.79; The Attic: \$121.50; Galls LLC: \$200.00; Sirchie: \$2,493.20; Watchguard Video: \$426.00; LEC Maintenance: \$14,271.05; Stark County Auditor (Federal Deposit): \$801.00; Verizon Wireless: \$90.79; City of South Heart: \$10.00; Hewlett-Packard: \$165.11; Dickinson Press: \$145.80;

10 Mill: Kadrmas, Lee & Jackson: \$29.89;

County Road: Kadrmas, Lee & Jackson: \$4,959.86; All In Service LLC: \$21,780.00; Hlebechuk Construction: \$5,000.00; Jurgens Trucking: \$21,210.00; Kathrein Trucking: \$68,820.00; Martin Construction: \$307,165.61; Northern Improvement: \$3,638.50; Schwartz Construction: \$85,217.00; Outback Lumber Supply: \$608.00; Ty Newton Fencing: \$8,476.50; North Central Rental & Leasing LLC: \$10,574.00; MDU: \$299.38; AT&T Mobility: \$112.62; City of Belfield: \$33.11; City of Dickinson: \$98.85; Consolidated: \$54.03; Roughrider Electric: \$682.00; SW Water Authority: \$52.62; City of Richardton: \$76.90; Century Link: \$56.11; Acme Tools: \$143.99; Arrow-Magnolia International: \$95.28; Belfield Automotive: \$98.13; Border States Electric: \$162.91; Braun Distributing: \$146.33; Dickinson Supply: \$31.74; Energy Systems Industrial: \$1,163.95; Kimball Midwest: \$205.91; Lenny's Repair: \$24.30; Mac's Inc: \$33.67; Motion Industries: \$608.63; Newby's Ace Hardware: \$88.82; Runnings: \$139.36; SBM Inc: \$127.98; Dakota Tool & Machine: \$310.12; Force America Distributing: \$58.42; George's Tire Shop: \$25.00; Just In Glass: \$589.86; Nelson International: \$2,772.00; NW Tire: \$3,630.33; Prairie Auto Parts: \$3.87; Sure Sign: \$112.00; Wallwork Truck Center: \$283.65; Westlie Crossroads: \$1,032.24; ND Dept of Transportation: \$11.50; Butler Machinery: \$2,561.50; Capitol Industries: \$1,747.82; Dakota Farm Equipment: \$714.22; Dakota Filter Supply: \$53.40; Pump Systems: \$237.31; RDO Equipment Co: \$412.93; SOS Truck Repair: \$25.00; Visa: \$43.05; SW Grain: \$19,689.81; West Dakota Oil: \$4,349.50; Berger Electric: \$153.00; City of Dickinson: \$78.96; Dallas Sailer Enterprises: \$878.00; J & J Operating: \$28.62; Motion Industries: \$26.52; Praxair: \$115.57; Road Equipment Parts Center: \$701.63; Roadworx LLC: \$64,487.92; Steffan's Saw & Bike: \$14.99; Steffan Feeds: \$573.00; Fisher Sand & Gravel: \$316.54; Scoria Butte Grazing: \$281,317.11; Lyle Signs: \$1,070.67; Dickinson Press: \$34.02; Logo Magic: \$174.00; SDSU – SDLTAP: \$400.00; Kadrmas Lee & Jackson: \$96,138.23; LB Concrete Inc: \$6,500.00; MBI Energy Services: \$819.00; MBI Energy Logistics: \$14,911.00; Northern Improvement: \$739,429.74; Outback Lumber Supply: \$7,671.65; Roughrider Electric: \$76,337.78; Ty Newton Fencing: \$5,703.50; Western Emulsion: \$23,247.84; Dickinson Ready Mix: \$11,079.25; LB Concrete Inc: \$4,890.00; Menards: \$783.77; Northern Improvement: \$192,256.27; Wheeler Lumber: \$515.00;

Highway Tax Distribution: Payroll: \$120,320.68; NDPers: \$33,614.32; NDACO: \$20.00;

Social Welfare: Payroll: \$195,139.52; Dickinson Ready Mix: \$31.60; Just In Glass: \$250.00; NDACO: \$112.00; ND Dept of Human Services: \$751.94; NDPers: \$55,831.78; Wrap Around Check: \$305.00; Advanced Business Methods: \$113.48; AT&T Mobility: \$43.85; Baymont Inn & Suites: \$747.00; Braun Distributing: \$203.56; City of Dickinson: \$188.23; Clean Sweep Vacuum Center: \$94.70; Comfort Suites: \$74.00; Consolidated: \$1,108.17; Bertie Gustafson: \$650.00; MDU: \$1,121.28; Newby's Ace Hardware: \$1.79; Record Keepers: \$33.00; SBM Inc: \$1,484.28; SW Judicial District: \$64.00; Visa: \$1,316.03; Walmart: \$170.23; Ward County Social Services: \$365.04; Josh Zellers: \$3,716.76; D-Cab: \$200.00;

County Poor: ND Dept of Human Services: \$36,251.04;

IT-Computer/Updates: NDACO Resources: \$16,403.86; Consolidated: \$4,616.47; Dell Marketing: \$618.83; Denny's Electric: \$1,142.96; Hewlett-Packard: \$3,076.00; Information Technology: \$1,420.50; Xerox Corporation: \$187.34;

Capital Improvement: A-1 Sprinklers: \$2,195.25; Badger Daylighting Corp: \$1,340.00; Consolidated: \$225.00; Dell Marketing: \$238.80; Dickinson Steel Builders: \$17,929.00; Hewlett-Packard: \$1,853.00; Rudy's Lock & Key: \$104.00; Scull Construction: \$364,006.45;

County Park: Advanced Engineering: \$5,609.53;

Fair Board: Stark County Fair Board: \$333.37;

County Jail: Michael Olson: \$24.67; SWMCCC: \$122,476.71;

Comp Health Care: NDPers: \$41,838.26; Blue Cross Blue Shield: \$447.20;

VSO Fund: Payroll: \$8,207.86; Jessica Clifton: \$467.50; Angela Hunt: \$478.00; Dakota Water Treatment: \$3.75; Consolidated: \$76.34; Verizon Wireless: \$40.01; Country Media Inc: \$20.00;

Social Security: Stark County Auditor (Federal Deposit): \$42,768.19;

Advertising: Dickinson Press: \$1,015.74;

County Agent: Payroll: \$5,021.01; NDPers: \$621.89; NDSU Extension Service: \$29,882.50; Visa: \$44.59; Samantha Roth: \$282.21; Kurt Froelich: \$35.00; Consolidated: \$165.75; SBM Inc: \$153.97; Xerox Corporation: \$126.52; Ag Communications: \$115.00;

Weed Control: Payroll: \$16,407.44; NDPers: \$4,946.77; AT&T Mobility: \$83.24; NDSU Extension Service: \$37.56; Crop Production Services: \$5,130.00; Mac's Inc:

\$39.00; Menards: \$332.90; O'Reilly Automotive: \$149.99; Runnings: \$760.97; Total Safety USA: \$100.75; Walmart: \$13.96; Stark County Auditor (Federal Deposit): \$235.17;

9-1-1: Payroll: \$5,213.53; NDPers: \$1,140.85; Stark County Auditor (Federal Deposit): \$1,163.32; City of Dickinson: \$12,392.50; Century Link: \$1,619.00; Consolidated: \$461.00; NDACO: \$15,181.65;

Domestic Violence: State Treasurer: \$1,050.00;

Oil3061 States Attorney: Payroll: \$5,248.08; Stark County Auditor (Federal Deposit): \$428.54; NDPers: \$801.11;

Oil Impact Grant: Payroll: \$6,149.03;

Security/Transfer DJS Reimb: Wex Bank: \$147.26;

Traffic Safety Grant: Payroll: \$1,277.81;

SW Victim Witness Program: Payroll: \$5,633.33; SBM Inc: \$186.29; NDPers: \$1,295.75; AT&T Mobility: \$85.42; Consolidated: \$41.87; Stark County Auditor (Federal Deposit): \$413.16; Verizon Wireless: \$40.01;

DVRCC: Domestic Violence: \$816.00;

State Reimbursements: Nathan Nelson: \$473.88; Timothy Josephson: \$25.00; Thomas Grosz: \$25.00; Zachary Milne: \$25.00; Lauren Asheim: \$25.00; Justin White: \$25.00; Samantha Ruane: \$25.00; Ian Wise: \$25.00; Chad Hopponen: \$25.00; Gary A Kuhn: \$25.00; Justin Wayne White: \$25.00; Mike Legler: \$50.00; La'Sean Pickstock: \$25.00;

Siren Contingency: Roughrider Electric: \$226.00;

Other Reimbursements: Just In Glass: \$372.89; Radisson Hotel: \$448.20; Consolidated: \$267.03; Dickinson Collision Center: \$1,558.58; Visa: \$427.64; Pharm Chem Inc: \$2,200.00; Joe Binstock: \$20.00; Dustin Rebout: \$117.00;

Judgement Execution: Stark County Sheriff's Dept: \$393.95; State of ND by Workforce Safety & Ins: \$620.75; Worthington Law Office: \$8,435.65;

BCI-Task Force Grants: Payroll: \$13,845.73; NDPers: \$3,352.46; Stark County Auditor (Federal Deposit): \$989.23; Synch/Amazon: \$70.73; International LLC: \$98.80; Walmart: \$75.50; Consolidated: \$66.91; Verizon Wireless: \$725.15; Wex Bank: \$356.94; Dickinson Collision Center: \$250.00; Travis Holding Eagle: \$2,077.20; TBK Tactical LLC: \$1,050.00;

911 Equipment: Advanced Business Methods: \$27.03; Penguin Management: \$2,568.00; Consolidated: \$63.16;

Sheriff Oestreich

Sheriff Oestreich provided his monthly report which included the following:

- 55 criminal papers were received and 54 were served;
- The arrest tally included 6 accidents, 210 stops, 94 citations, and 78 warnings;
- 133 civil papers were received and 95 were served;
- Transports included 3 criminal, 29 daily court, and 6 mental health;
- The truck reg. program had a total of \$5,635 in fines and \$44,934.03 in permits;
- The 24/7 program had a total of \$604.91.
- There were a total of 203.5 hours of overtime.

Sheriff Oestreich also advised that Deputy VanDoorne is on board as the School Resource Officer and has been working with the Richardton schools conducting needs and security assessments.

Delinquent Tax Properties – Set Appraisals

Auditor Haag advised there are two properties that had until 5pm on October 1st to bring the taxes up-to-date. The two presented properties failed to do so.

The first property is located in the I-94 Industrial Park and has a delinquent tax amount of \$3,211.26. The second property is located in Belfield and has a delinquent tax amount of \$3,825.42. This is for informational purposes only at this point.

City of Belfield

As there will be discussion regarding the budget, the City of Belfield request was brought forth. Commissioner Zander advised that Stark County is not a lending institution and should not be loaning money. Commissioner Wolf advised the City of Belfield will have to come back to Stark County with a more firm request.

Road Superintendent - Al Heiser

Mr. Heiser requested out-of-state travel for 4 individuals to travel to Rapid City.

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

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

DISPOSITION: Motion carried

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

A North Dakota Department of Transportation Maintenance Agreement was presented. This agreement states that Stark County is responsible for maintenance on the Bypass from Highway 10 to Exit 56. State's Attorney Henning has reviewed and approved.

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

To authorize the Chairman to sign the NDDOT Agreement.

DISPOSITION: Motion carried

Forsgren

A representative of Forsgren provided an overview of the yearly activities. The 2014 building permit fee had a total of \$360,000 while 2015 is currently at \$260,000.

There was also discussion regarding having Forsgren provide a fee schedule for plan reviews. Mr. Heiser also stated that Engineers need to be inspecting projects and provide a final sign-off when projects are complete.

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 1 grading and aggregate surfacing 1.0 miles – Martin Construction. Completion date of October 18th 2015. Final estimate submitted.
- 38th St SW – CMC 4512 – Phase 2 additional aggregate base and paving 2.0 miles – KLJ working on plans. Bid opening November 3rd, 2015 at 11:00 am at Billings County.
- 39th St SW Norwegian Creek Box – Martin Construction. Project complete. Final estimate submitted.
- 116th Ave SW – CMC 4527 – grading and aggregate 1.1 miles – Martin Construction. Project complete. Final estimate submitted.
- 116th Ave SW – CMC – 4517 – paving 1.1 miles – Century Companies. Project complete. KLJ working on final paperwork.
- 32nd St SW – CMC 4527 – grading and aggregate 1mile – Martin Construction. Finishing grading topsoil.
- 32nd St SW – CMC 4527 – paving 1 mile – Northern. Paving complete. Working on punch list items.
- 112th Ave SW (30th to 32nd) – CMC 4521 – grading and aggregate 2.3 miles – Martin Construction. Grading complete. Working on punch list items.
- 112th Ave SW (32nd to 33rd) – CMC 4521 – Paving 1 mile – Northern. Paving complete. Working on punch list items.
- 112th Ave SW Green River Bridge 120-03.0 – Scheduled for February 2016 bid opening. Final documented CATEX submitted and waiting approval. Stark County to obtain ROW.
- Bridge 45-141-20.0 – KLJ is working on plans and ROW plats. Submitted USACE permit application.
- Bridge 45-142-20.0 – KLJ is working on plans and ROW plats. Submitted USACE permit application.
- Bridge 45-142-20.1 - KLJ is working on plans and ROW plats. Submitted USACE permit application.
- South Heart Road – CMC 4511 – mill and overlay 1 mile – Coring completed and preliminary survey has been scheduled.

- Hwy 10 Dickinson to 83rd Ave SW – overlay and chip seal 23 miles – Environmental and preliminary surveys have been scheduled.
- 32nd St SW and 105th Ave SW reconstruct – Environmental and preliminary surveys have been scheduled.
- 112th Ave SW from 34th St SW to 33rd St SW 1 mile reconstruct - Environmental and preliminary surveys have been scheduled.

Longevity

Ms. Krebs presented a change to the County Longevity Pay policy. The changes will update section 1 to now also include regular part-time employees. The second update 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 counted for longevity purposes.

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

To adopt changes as presented and implement retroactive to January 1st, 2015.

DISPOSITION: Motion carried

Vacation-Sick

Ms. Krebs also presented a change to the County Leave Time policy. The verbiage “if an employee is rehired, prior employment with Stark County will be included to establish the amount of vacation hours earned per month” was added under Section 1.

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

To table this discussion.

DISPOSITION: Motion carried

Public Hearing – Budget

Ms. Haag provided an overview of the 2016 Stark County budget. Chairman Hoff declared the public hearing open. A representative from the Stark County Development Corporation thanked the Commission for funding. Commissioner Elkin advised he would recommend increasing the Job Development line by a half mill. Chairman Hoff closed the public hearing.

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

To approve the 2016 budget as presented and add a half mill to Job Development.

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

Stark Development – Manufacturing Day Resolution

Stark Development presented the Commission with a resolution proclaiming October 7, 2015 as Manufacturing Day in Stark County. This will be resolution number 2015-10-6.

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

To authorize the Chairman to sign the resolution.

DISPOSITION: Motion carried

Zoning

Chad Groll is requesting a variance to allow an accessory structure in a front yard. The property is located at 10399 35U Street SW and is approximately 2.13 acres in area. Staff along with the Planning and Zoning Board recommend approval.

MOTION BY: Commissioner Elkin **SECOND BY:** Commissioner Zander
To approve the variance as presented.
DISPOSITION: Roll call vote. All voted aye. Motion carried

Terry and Lynn Kubas are requesting a zoning change from Agriculture to Rural Residential on a parcel located in the S ½ of the NE ¼ of Section 14, Township 138, and Range 96 containing approximately 5 acres. Staff along with the Planning and Zoning Board recommend approval.

MOTION BY: Commissioner Elkin **SECOND BY:** Commissioner Wolf
To approve the zoning change as presented with staff recommendations.
DISPOSITION: Roll call vote. All voted aye. Motion carried

Melissa Hochmuth of NextEra Energy Resources is requesting a conditional use permit for a 197 foot meteorological tower on a parcel located in the SE ¼ of Section 23, Township 137, and Range 97 containing approximately 160 acres on a lease area of approximately 2.5 acres. Staff along with the Planning and Zoning Board recommend approval.

MOTION BY: Commissioner Elkin **SECOND BY:** Commissioner Zander
To approve the conditional use permit request with conditions.
DISPOSTION: Roll call vote. All voted aye. Motion carried

Melissa Hochmuth of NextEra Energy Resources is requesting a conditional use permit for a 197 foot meteorological tower on a parcel located in the SW ¼ of Section 27, Township 137, and Range 95 containing approximately 160 acres on a lease area of approximately 2.5 acres. Staff along with the Planning and Zoning Board recommend approval.

MOTION BY: Commissioner Elkin **SECOND BY:** Commissioner Kuntz
To approve the conditional use permit request with conditions.
DISPOSTION: Roll call vote. All voted aye. Motion carried

Melissa Hochmuth of NextEra Energy Resources is requesting a conditional use permit for a 197 foot meteorological tower on a parcel located in the NW ¼ of Section 32, Township 137, and Range 95 containing approximately 160 acres on a lease area of approximately 2.5 acres. Staff along with the Planning and Zoning Board recommend approval.

MOTION BY: Commissioner Elkin **SECOND BY:** Commissioner Kuntz
To approve the conditional use permit request with conditions.
DISPOSTION: Roll call vote. All voted aye. Motion carried

The following Miscellaneous Receipts were filed: General: \$461,388.12; 10 Mill: \$34,558.49; County Road: \$1,281,033.52; Highway Tax Distribution: \$301,798.01; SP Road & Bridge: \$10,382.82; Social Services: \$58,327.56; County Poor: \$144,595.94; IT-Computer/Updates: \$378.89; Capital Improvement: \$117,830.49; County Park: \$3,316.72; County Jail: \$26,364.21; Insurance: \$10,382.82; Comp Health Care: \$14,403.61; Emergency Fund: \$3,460.94; Veteran's Service Officer: \$5,235.40; Social Security: \$32,644.60; Advertising: \$1,781.37; County Agent: \$8,166.59; Weed Control:

\$61,152.63; 911 Revenue: \$28,490.46; Adult Education: \$56.79; Fingerprint Station: \$128.00; Domestic Violence: \$735.00; Traf Safety Grant: \$2,013.83; Estimate Taxes: \$1,144.00; Game & Fish Licenses: \$36,968.50; SW Victim Witness Program: \$18,524.79; Domestic Violence & Rape Crisis Center: \$816.00; Preservation Fee: \$1,494.00; State Reimb: \$875.00; Other Reimbursements: \$7,802.69; Judgement Execution: \$9,450.35; 911 Equipment: \$6,454.48;

MOTION BY: Commissioner Zander
To adjourn the meeting.

SECOND BY: Commissioner Wolf

DISPOSITION: Motion carried

Kay Haag, Auditor

Russ Hoff, Chairman