

Official Proceedings

September 2, 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. Commissioner Zander added John with KLJ. Commissioner Elkin added Courthouse Security. Ms. Haag added Zoning.

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

To approve the agenda as presented with the additions.

DISPOSITION: Motion carried

Minutes

The minutes of the August 5, 2014 Board of County Commissioners meeting were presented.

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

To approve the minutes of the August 5, 2014 Board of County Commission minutes as presented.

DISPOSITION: Motion carried

Accounts Payable

Commissioner Kuntz questioned a bill for KJL which was over \$100,000 for the last month. Mr. Heiser advised this was for current projects. The Commission would like a breakdown of these projects and costs in the future. Ms. Haag provided the breakdown for the Commission. Commissioner Elkin questioned a bill for Delta Airlines. Sheriff Tuhy advised this was for a juvenile transport of which was court ordered and the Sheriff's department has no control over this when court ordered. Commissioner Hoff questioned a bill for the state audit. Ms. Haag advised that this is a yearly bill for audit services.

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

To approve the accounts payable with the supplement as presented.

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

General: Payroll: \$220,471.86; Dickinson Police Dept: \$200.69; Gina R. Wariner: \$17.50; Lanette A Young: \$143.50; Christopher Redman: \$109.31; West Payment Center: \$655.38; SBM Inc: \$1,982.32; Dakota Water Treatment: \$20.50; RACO Industries: \$105.14; Xerox Corporation: \$632.74; Comfort Inn: \$444.00; Diane Brines: \$70.00; Natalie Wandler: \$70.00; Consolidated: \$500.08; MDU: \$2,539.74; Roughrider Electric: \$150.00; SW Water Authority: \$59.20; Braun Distributing: \$153.56; Clean Sweep Vacuum: \$87.67; Dakota Farm Equipment: \$52.32; Ferguson Enterprises: \$5.64; George's Tire Shop: \$25.00; JP Steel & Supply: \$42.45; Menards: \$152.72; ND Insurance Dept: \$80.00; Newby's Ace Hardware: \$84.55; NW Iron Fireman: \$23.65; Runnings Supply: \$13.99; T-REX Conoco: \$311.88; The UPS Store: \$27.73; City of

Dickinson: \$13,948.42; Election Systems: \$2,849.85; NDPers: \$36,403.22; Mark T. Blumer Law Office: \$180.00; Mackoff Kellogg: \$3,070.00; Stutsman County \$275.50; Cenex Fleetcard: \$9,378.26; Office of the State Auditor: \$16,000.00; Brightside Services: \$240.00; Kathy Schwab: \$19.99; US Postal Service: \$59.05; AT&T Mobility: \$1,696.41; Century Link: \$487.00; Great Plains Directory: \$378.00; Walmart: \$542.59; Forsgren Associates: \$89,620.09; Dickinson Parks & Rec: \$70.72; Sleep Inn & Suites: \$415.00; Souris Valley Suites: \$605.00; Visa: \$1,118.26; ND Sheriff's & Deputies Assoc: \$200.00; Quality Quick Print: \$218.99; Advanced Business Methods: \$375.27; Chris Coates: \$20.00; Dickinson Tire: \$174.96; East End Auto: \$85.00; Electronic Communications: \$14,910.69; Just In Glass: \$250.00; Megan Nygard: \$4.14; Parkway Ford Sales: \$296.98; Tri-Energy Cooperative: \$965.99; Wex Bank: \$230.94; Brownells Inc: \$352.51; Dickinson Ambulance: \$170.00; Ultramax: \$502.00; Light & Siren: \$130.09; Uniform Center: \$1,041.30; LEC Maintenance: \$8,331.34; Stark County Auditor (Federal Deposit): \$616.71; Dennis E Wolf MD: \$11,400.00; VerizonWireless: \$90.38; NDEMA: \$180.00; Dakota Rubber Stamp: \$10.65; West Dakota Oil: \$347.57; AED Everywhere: \$59.00; NDACO Resources: \$210.44; Dickinson Press: \$87.78;

10 Mill: Kadrmas Lee & Jackson: \$23,782.72; Border States Paving: \$626,521.81;

County Road: Kadrmas Lee & Jackson: \$74,357.43; Jurgens Trucking: \$23,130.00; Martin Construction: \$3,488.75; Northern Improvement: \$219,306.88; Edward Schwartz: \$43,014.00; Traffic Safety Services: \$1,164.40; General Steel: \$3,037.50; Dakota Farm Equipment: \$839.74; AT&T: 110.86; City of Belfield: \$23.25; City of Dickinson: \$98.85; Consolidated: \$46.93; MDU: \$305.32; Roughrider Electric: \$972.00; Southwest Water: \$52.71; Century Link: \$56.03; AED Everywhere: \$96.00; Braun Distributing: \$42.55; Butler Machinery: \$1,216.04; Energy Systems Inc: \$61.00; Lenny's Repair: \$5.95; Mac's Inc: \$36.68; Menards: \$46.88; Runnings Supply: \$212.60; Schaeffer's MFG: \$389.70; Southwest Grain: \$46,370.10; Charbonneau Car Center: \$96.00; Dakota Tool & Machine: \$132.13; Dickinson Supply: \$4.28; J & J Operating: \$417.75; Just in Glass: \$527.96; Nelson International: \$770.92; NW Tire Inc: \$1,403.83; Pump Systems LLC: \$497.33; Sax Motors Co: \$552.33; Wallwork Truck Center: \$49.09; Westlie Truck Center: \$610.48; Belfield Automotive: \$12.48; JP Steel & Supply: \$56.07; RDO Equipment: \$1,012.47; ; Road Equipment Parts: \$4,639.44; West Dakota Oil: \$198.47; Dakota Filter Supply: \$382.99; Lenny's Repair: \$31.37; Praxair: \$61.02; Z & S Dust Control: \$11,209.28; Ecosupply: \$743.60; Fisher Sand & Gravel: \$72,854.85; Phillip Messer: \$10,756.10; Lyle Signs Inc: \$155.15; Coca-Cola Bottling Company: \$294.00; West River Strip: \$3,518.07;

Highway Tax Distribution: Payroll: \$104,941.58; NDPers: \$27,695.08;

Social Welfare: Payroll: \$175,653.83; NDPers: \$49,037.04; AT&T: \$47.16; Safety Works: \$213.00; NDCSW: \$740.00; ND Department of Human Services: \$365.21; Wrap Around Checks: \$1,433.46; Clean Sweep: \$239.90; Advanced Business Machines: \$119.65; Braun Distributing: \$196.53; City of Dickinson: \$182.86; Comfort Suite: \$222.00; Consolidated: \$848.08; Eastgate Funeral: \$1,850.00; Bertie Gustafson: \$650.00; Jefferson Partners: \$32.50; MDU: \$985.50; Newby's Ace Hardware: \$95.60; Pitney

Bowes: \$258.09; Professional Printing: \$48.00; Record Keepers: \$24.50; SBM: \$837.55; Visa: \$439.38; Walmart: \$155.46;

County Poor: ND Department of Human Services: \$30,357.59;

IT-Computer/Updates: NDACO Resources: \$12,483.91; Consolidated: \$1,343.76; Archonix: \$1,842.50; Hewlett-Packard: \$756.00; Information Technology: \$1,161.75; Xerox Corporation: \$187.34; Zuercher Technology: \$4,612.50;

Capital Improvement: Berger Electric: \$1,221.24; Kadrmas Lee & Jackson: \$642.60;

Fair Association: Stark County Fair Board: \$162.19;

County Jail: SWMCCC: \$112,152.98; St Joseph's Hospital: \$110.00;

Insurance Reserve: American Insurance Center: \$72.00;

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

VSO Fund: Payroll: \$8,512.49; Jessica Clifton: \$423.50; Veteran's Information Service: \$55.00; Consolidated: \$21.40; Verizon: \$40.05; Xerox Corporation: \$46.34;

Social Security: Stark County Auditor (Federal Deposit): \$37,441.76;

Advertising: Dickinson Press; \$1,330.01;

County Agent: Payroll: \$4,727.06; NDPers: \$564.15; Kurt Froelich: \$494.78; Samantha Roth: \$35.00; Consolidated: \$181.17; Xerox Corporation: \$310.43; Stark Billings County 4H: \$82.58;

Weed Control: Payroll: \$17,465.26; Kaye Jessen: \$60.03; NDPers: \$4,410.23; AT&T : \$83.78; John Cote: \$200.00; SBM: \$4.19; Quality Quick Print: \$52.00; Crop Production: \$14,465.95; Pump Systems: \$598.03; T-Rex Conoco Inc: \$465.93; Menards: \$165.97; Stark County Auditor (Federal Deposit): \$219.71; Total Safety: \$89.60;

9-1-1: Payroll: \$4,813.52; NDPers: \$1,725.48; Stark County Auditor (Federal Deposit): \$341.74; City of Dickinson: \$11,275.83; Century Link: \$1,616.45; Consolidated: \$381.00;

Asset Forfeiture: Electronic Communications: 1,440.00; Visa: \$377.43;

Domestic Violence: State Treasurer: \$1,015.00;

Oil 3061 States Attorney: Payroll: \$2,481.53; Stark County Auditor (Federal Deposit): \$166.84; NDPers: \$378.68;

Traf Safety Grant: Payroll: \$1,640.06;

Oil Impact: Payroll: \$33.71;

NDBCI-Oil 3518: Electronic Communications: \$8,941.81; Uniform Center: \$191.70;

Criminal Justice/Oil Impact Grant: Light & Siren: \$1,170.81; NDPers: \$1,474.16; Payroll: \$3,952.94; Stark County Auditor (Federal Deposit): \$302.40;

Cops Grant 2011: NDPers: \$1,101.59; Payroll: \$4,392.16; Stark County Auditor (Federal Deposit): \$326.76;

Misc Grants: Uniform Center: \$1,020.00; Dickinson Ambulance: \$1,620.00; Scuba One: \$4,995.00;

Game & Fish: ND Game & Fish Department: \$163,332.00;

SW Victim Witness Program: Payroll: \$5,082.89; SBM: \$233.27; NDPers: \$1,154.44; AT&T: \$84.67; Consolidated: \$38.22; Stark County Auditor (Federal Deposit): \$372.51; Verizon: \$40.01;

Hazardous Chemical Reimbursement: Dickinson Press: \$90.00;

DVRCC: Domestic Violence: \$1,506.68;

State Reimbursements: Gae Culver: \$25.00; Todd Mayer: \$25.00; Chad Hopponen: \$25.00; Judson Trautvett: \$25.00; Scott Zitzloff: \$25.00; Thomas Grosz: \$25.00; Jesse Becker: \$25.00; Shane Holz: \$25.00; Mike Legler: \$25.00; Terri Washington: \$25.00; Lauren Asheim: \$25.00; Jason Wallace: \$25.00;

Siren Contingency: Roughrider Electric: \$195.00;

Other Reimbursements: Election Systems: \$3,325.77; Just in Glass: \$99.75; Consolidated: \$178.16; Visa: \$50.02; Pharm Chem: \$1,869.00; Office of Attorney General: \$8,511.00; Walmart: \$49.00;

Judgment Execution: AR Audit Service: \$2,045.71; Credit Bureau of Bismarck: \$112.54; Stark County Sheriff's Dept: \$195.00;

BCI-Task Force Grants: Payroll: \$8,792.14; NDPers: \$1,991.92; Stark County Auditor (Federal Deposit): 653.27; Consolidated: \$66.91; Verizon: \$612.48; Wex Bank: \$457.76; Tim Josephson: \$1,174.20; Christopher Kimmerle: \$287.00; Peter Maxfield: \$147.00; Galls/ Quartermaster: \$14,248.00;

911 Equipment: Consolidated: \$57.14;

Sheriff Tuhy

Sheriff Tuhy provided his monthly report to the Commission. During the report it was pointed out that the overtime hours have decreased.

Road Superintendent - Al Heiser

Mr. Heiser advised that road department is catching up on a few blading projects. Have ground up most roads that have been graveled in the county. Having some trouble with the bridge on plum creek. Mr. Heiser is getting figures for repair/replacement and will be putting numbers together for possible reimbursement.

Mr. Heiser received information from a land owner north of Belfield that is upset that Whiting Oil built a road on a section line after this land owner refused to sell whiting the rights to build on his property. He now wants a response from the County. Mr. Henning advised that it is in policy that this is acceptable and the Commission gave direction to Mr. Henning that he provides the land owner with a response letter.

County Engineer – Tim Kelly

Justin Heljehm with KJL provided the County Engineers report in Mr. Kelly's absence.

- 116th Ave., Hwy 10, N. to West Dickinson Bypass, 0.6 miles – Grading plans near completion. Plan for construction this fall.
- Hwy 10 Antelope intersection 5.6 miles to Morton County – Border states, shaping roadway and paving.
- HWY 10, Gladstone to SW Grain, 2.5 miles – Northern, KLJ and NIC met with Commissioner Kuntz on site.
- Landfill Road, E Villard 2.3 miles south – Northern, Project complete. KLJ working on final paperwork.
- 32nd Street, E. of ND 22 0.6 miles – Northern, Project complete. KLJ working on final paperwork.
- Roadway grading (112th Ave SW) – Working on grading plans. Anticipated 2015 bid opening and construction.
- 115th Avenue SW Paving, BOE Access Road – Northern, paving to start in Sept.
- Taylor Road Overlay – Northern, Paving complete.
- 39th St SW Norwegian Creek Box – Final plans complete. September 2nd Bid Opening.
- Golf Course Road – Obtained coring information and completed preliminary overlay estimate. Al is deciding on future overlay.

Bid Opening – COIA-0045(055) PCN20248

Received the following bids for this project:

- Martin Construction - \$267,440.00
- Crow River Construction - \$343,995.00
- Wanzek Construction - \$413,887.30
- Burski Excavating, Inc. - \$381,593.00
- Edward H. Schwartz Construction - \$336,140.98

The Engineers opinion of construction cost was \$315,000.00. Mr. Heiser recommended award to Martin Construction.

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

To award the bid to Martin Construction

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

Mr. Henning advised that a bid was received late that was sent in the mail. The bid was qualified however their bid does exceed the amount that was awarded.

Council on Aging

Irene Rohde, President provided an update on the financial status of the Council on Aging. Ms. Rohde provided a letter and budget request to the commission.

Kurt Froelich – County Agent Budget

Mr. Froelich provided the Commission with the 2015 budget proposal. Advised the travel line item was increased \$1,500 for 4H events. Postage is now 100% county responsibility. Total 2015 budget request is \$155,573.32

Ryan Norrell/Lance Yohe-ND Missouri River Stakeholder Group

Lance Yohe provided a flyer with the overview of the North Dakota Missouri River Stakeholders. The goal of the group is to get North Dakota a voice on Missouri River issues. Advised of a fall workshop to be held on November 20, 2014 in Bismarck and a spring conference to be held on June 3-4, 2015 in Bismarck.

Jeremy Butman – Prairie Engineers

Mr. Butman presented information on Courthouse Security with Prairie Engineers. Provided an overview of the report that was issued. Commissioner Zander also asked Mr. Butman to be included with the possibility of the Courthouse expansion.

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

To allow Prairie Engineering to move forward with their study.

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

Northern Plains – Dennis Beamis – 37th St SW

Dennis Beamis presenting. Mr. Beamis advised that the City of Belfield has approved zoning on this project. The purpose of today's presentation is to provide the commission with a project update. There are some questions surrounding the project as the project is taking place in both City of Belfield and Stark County jurisdiction. Mr. Beamis was advised that they need to speak with the City of Belfield attorney to get additional information and provide the information to Mr. Henning or just have the City of Belfield attorney contact Mr. Henning directly.

Bill – 9-1-1 Fee Increase

Mr. Fahlsing advised that the proposed 9-1-1 fee increase ballot measure failed in the primary election. Mr. Fahlsing is requesting that this be added to the general election

ballot once again. Mr. Fahlsing provided the Commission with an update 9-1-1 Fee Ballot Measure resolution and a copy of the 9-1-1 ballot measure.

MOTION BY: Commissioner Wolf

SECOND BY: Commissioner Elkin

To adopt the 9-1-1 Fee Increase resolution and place on the November election ballot.

DISPOSITION: Motion carried

Commissioner Zander also advised that he would like Mr. Fahlsing to research the possibility of the consolidation of incorporated fire departments within Stark County into a County Fire Department. Commissioner Zander advised that this research should include the benefits to training, volunteer head hunting without compromising local jurisdiction control. Mr. Fahlsing was asked to put together a survey for the existing fire chiefs.

Department Budgets

Highlights from the following department budgets were presented.

Auditor

The Auditor's office will be taking on Nicole's position 100%. An HR position was also added to the Auditor's 2015 budget.

Tax Director

As Nicole will be moving to the Auditor's office 100%, Ms. Brines is requesting a new hire June 1, 2015. This position is also being requested as Ms. Brines is planning for retirement June 1, 2016.

State's Attorney

Mr. Henning advised that the salary line items were adjusted to reflect the median salary of the salary study. Adding a legal secretary position. Mr. Henning provided a document with salary break-downs for all positions and believes with the cost of living increases, these are reasonable salary requests.

Weed Control

Need to break out "Spray Control" into separate line items for the two full time employees.

EM/911

Mr. Fahlsing advised that the overall Emergency Management budget will decrease from 2014 due to the office specialist position not being filled upon Ms. Meduna's retirement. Mr. Fahlsing also advised that he is still waiting on dispatch figures from the City of Dickinson so this number could possibly change from the proposal.

Fair Association

A handout was provided outlining the fair association request for 2015.

County Jail

10 mills are requested with 1 mill dedicated to the youth bureau.

Advertising

Split \$25,000 between Best Friends Mentoring Program and the Domestic Violence.

County Recorder

Ms. Schwab advised she is looking for an additional part time position. Also requesting a new document scanner.

Sheriff

Mr. Tuhy provided an overview of the 2015 budget. Requesting a \$5,000 adjustment and a \$4,000 cost of living increase for staff in 2015.

General Fund

Ms. Haag provided a handout showing the difference in salary proposals discussed by the commission. As a reminder, the fund balance cannot exceed 75% of the expenditures.

NDACo Annual Conference

Ms. Haag advised that the North Dakota Association of Counties Annual Conference will be held in Bismarck at the Ramkota Hotel October 12-14. Ms. Haag currently has 12 rooms reserved however because of the demand they are at the Expressway Inn. Ms. Haag will attempt to get rooms at the Ramkota through cancellations. Ms. Haag also got a count of the Commissioners and Department heads that are requesting rooms.

Dickinson Ambulance Grant – Request for Reimbursement

Ms. Haag presented a new grant application and a request for reimbursement from the Dickinson Area Ambulance.

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

To allow the chairman to sign the grant application and reimbursement request.

DISPOSITION: Motion carried

Travel/Meal Reimbursements

Ms. Haag advised that the state regulates the reimbursement amount for in-state meal reimbursements. The current rate is \$35 per day. The Stark County policy reflects this however the out-of-state meal reimbursement is \$30 per day and is not regulated by the state legislature. Ms. Haag is questioning if this amount should match the current in-state amount.

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

To move the out-of-state meal allowance to \$35 per day.

DISPOSITION: Motion carried

Commissioner Zander also feels that employees should not be allowed to claim reimbursement for meals if meals are included in any meeting/conference registration fees.

John – KLJ

John with KLJ presented two professional service agreements.

#1

The purpose of this agreement is to gather information on possible locations for the Social Services, Extension Service, Sunrise Youth Bureau, and Veteran's Service Office for Stark County. Look at three available sites, prepare cost estimates, and prepare sketches of locations and building sites. Prepare short report to Commission on the sites. This agreement is not to exceed \$4,000.

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

To allow the chairman to sign the contract.

DISPOSITION: Motion carried

#2

The purpose of this agreement is to gather information on location, geometry, and size of expansion to Stark County Court House for court services including judge's chambers and state's attorney offices. Look at expansion on east side or west side of building, analyze existing situation, meet with staff, judges and attorneys to assess needs, prepare cost estimate, and prepare sketches of location and building site. Prepare short report to Commission on the site. This agreement is not to exceed \$5,000.

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

To allow the chairman to sign the contract.

DISPOSITION: Motion carried

Zoning

Thomas Hutzenbiler is requesting a zoning change from Agriculture to Agricultural Residential on a parcel located in the NW4 of Section 9, Township 137, Range 99 containing approximately 20 acres. Staff and Zoning Boards recommendation is for approval.

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

To approve the zoning request for Thomas Hutzenbiler.

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

Phillip J. Wallace is requesting a zoning change from Agriculture to Industrial on a parcel located on Lot 4, Section 2, Township 140, Range 96 containing approximately 40 acres. Staff and Zoning Boards recommendation is for denial of the request as it does not match the development pattern in the area.

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

To deny the zoning request by Phillip J. Wallace.

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

Mr. Josephson advised that the City of Dickinson will be reviewing the ETZ extension at tonight's Commission meeting.

Next Meeting

As a reminder there will be a special Commission meeting on September 16, 2014 at 8am.

The following **Miscellaneous Receipts** were filed: General: \$864,411.77; County Road: \$247,596.37; Highway Tax Distribution: \$291,568.22; Social Services: \$71,698.69; IT-Computer/Updates: \$144.30; Capital Improvement: \$396,226.35; County Park: \$45.58; Social Security: \$2,481.64; County Agent: \$344.00; Weed Control: \$29,569.30; 911 Revenue: \$20,616.00; Adult Education: \$59.05; Fingerprint Station: \$16.00; Domestic Violence: \$1,225.00; Traf Safety Grant: \$1,865.93; NDBCI-OIL 3518 Grant: \$9,492.98; Criminal Justice/Oil Impact Grant: \$36,764.29; Misc. Grants: \$102,962.98; Estimate Taxes: \$2,302.60; Game & Fish Licenses: \$44,502.00; SW Victim Witness Program: \$2,061.67; Domestic Violence & Rape Crisis Center: \$1,051.68; Preservation Fee: \$1,827.00; Other Reimbursements: \$42,598.06; Judgment Execution: \$2,353.25; 911 Equipment: \$3,870.20;

MOTION BY: Commissioner Wolf
To adjourn the meeting.

SECOND BY: Commissioner Zander

DISPOSITION: Motion carried

Kay Haag, Auditor

Russ Hoff, Chairman