

Official Proceedings

May 5, 2020
8:00 am

Chairman Kuntz called the meeting of the Stark County Board of Commissioners to order. Members attending in person were Chairman Kuntz, Commissioner Arthaud and Commissioner Elkin. Members attending by conference call were Commissioner Zander and Commissioner Franchuk. The public was given access to the conference call.

Agenda

Chairman Kuntz asked for any changes to the agenda. Commissioner Elkin added budgets, Commissioner Arthaud added elections and Auditor Kay Haag added Emergency Management Grant, Resolution on 2nd Amendment for Weapons and Gladstone Fire Energy Infrastructure Grant.

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

To approve the agenda with the changes.

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

Minutes

The April 7, 2020 Board of County Commissioner's regular meeting minutes were presented.

MOTION BY: Commissioner Elkin **SECOND BY:** Commissioner Arthaud

To approve the April 7, 2020 Board of County Commissioner's meeting minutes as presented.

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

Accounts Payable

MOTION BY: Commissioner Zander **SECOND BY:** Commissioner Arthaud

To approve the accounts payable with the supplement as presented.

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

Sheriff Lee

Sheriff Lee provided the monthly totals for April. They are hoping to resume the 24/7 Program tentatively June 1, but will evaluate as it gets closer. Anticipating a large surge of warrants as the county opens up. Sheriff Lee also reported that the Sheriff's Office annual report is completed.

Road Superintendent – Al Heiser

Mr. Heiser reported that the road crew is busy moving gravel, blading, and have sent out some water trucks for dust control. All staff are working and they have been able to practice social distancing due to COVID-19.

CUP – Fisher Industries

Planning and Zoning Director Steve Josephson presented a request from Fisher Sand & Gravel Co. for a Conditional Use Permit Renewal for SE4 27-140-95 (Parcel#23-0000-03467-000) and the NE4 27-140-95 (Parcel #23-0000-03468-000).

MOTION BY: Commissioner Elkin **SECOND BY:** Commissioner Arthaud
To approve and renew the Conditional Use Permit on parcel 23-0000-03467-000.

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

MOTION BY: Commissioner Arthaud **SECOND BY:** Commissioner Elkin
To approve and renew the Conditional Use Permit on the second parcel.

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

Jeremy Wood – Northern Plains Engineering

Mr. Wood reported on three bridge replacement and a street paving projects with construction expected in 2020. Mr. Wood also gave an update on construction projects started in 2019.

Zoning

VAR 01-20 Jason Hurt is requesting a variance to the maximum square footage requirement for an accessory structure in the front yard, and a variance for the maximum height of an accessory structure. The property is located in Lot 5, Block 1 of Green River Estates Subdivision. Planning and Zoning and staff recommend approval.

MOTION BY: Commissioner Arthaud **SECOND BY:** Commissioner Franchuk
To approve the application for Jason Hurt as presented.

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

VAR 02-20 Dallon Buchanan is requesting a variance to the maximum square footage requirement for an accessory structure, and a variance for the maximum height of an accessory structure. The property is located in Lot 6, Block 1 of Jackrabbit Flats Subdivision. Planning and Zoning and staff recommend approval.

MOTION BY: Commissioner Arthaud **SECOND BY:** Commissioner Elkin
To approve the application for Dallon Buchanan as presented.

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

Women Empowering Women – No show

Kepa Transport- Justin Tucker Road Permit – No show

Edward Dick – 2nd Amendment on Preservation in North Dakota

Mr. Dick requested the Board approve a resolution expressing its intent to uphold the Second Amendment rights of the citizens of Stark County.

MOTION BY: Commissioner Elkin **SECOND BY:** Commissioner Arthaud
Moved to adopt the resolution.

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

Helicopter Spill

Chairman Kuntz reported that he has been working on the Helicopter Spill on Highway 10 for quite some time with Bill Fahlsing, Emergency Manager, with no response from the State. Chairman Kuntz feels it is time to turn it over to the State's Attorney. Road Superintendent Heiser suggested covering it up with manure. Chairman Kuntz would like to have State's Attorney Tom Henning look into the matter. State's Attorney Henning suggested covering it with the manure for temporary remediation and let the State know the ball is in their court.

MOTION BY: Commissioner Elkin **SECOND BY:** Commissioner Zander
Moved to have Road Superintendent Heiser fill in the spot with manure and get something to grow.

DISPOSITION: Roll call vote. Commissioner Elkin Aye. Commissioner Zander Aye. Commissioner Franchuk Aye. Commissioner Arthaud Nay. Chair Kuntz Nay. Motion carried.

NDIRF-Proxy

Auditor Haag presented a proxy for North Dakota Insurance Reserve Fund annual meeting. Past practice has been to abstain from voting. State's Attorney Henning stated that you are not electing to have someone vote for you, just abstaining. To choose to abstain from voting requires no action. No action taken.

MOTION BY: Commissioner Elkin **SECOND BY:**
Moved to abstain from voting.
Commissioner Elkin withdrew his motion.

Grant – DES

Auditor Haag reported the 911 office applied for a Plains First Responders Grant to update the existing TV display in the Emergency Operations Center. Stark County was awarded \$5,000.00 towards the purchase of an interactive whiteboard. Total cost of the replacement whiteboard is \$7,615.58. The difference of \$2,615.58 would come from the grant match funds in the Emergency Management budget.

Budget

Commissioner Elkin requested that each department attempt to find a 10% reduction in their 2021 budgets.

Election

Commissioner Arthaud inquired if Stark County will have ballot drop boxes for the June 9 Primary Election. Auditor Haag reported that a drop box is located in the Courthouse north parking lot. Location of drop boxes has been posted on the County website and Facebook page. Sheriff Lee and Road Superintendent Heiser offered to locate a large portable sign pointing to the drop box location on Courthouse property.

Gladstone Fire

Auditor Haag reported that the Board of University and School Lands has approved an \$187,500.00 grant for the Gladstone Consolidated Fire District to put towards the purchase of a Pumper Fire Truck.

Bill of Sale

Auditor Haag presented a Bill of Sale from the City of Dickinson to Stark County for \$2,688.58 for an 80 foot long bridge, and a Waiver and Release of Liability that the City is requesting the Chairman sign for hold harmless purposes. Road Superintendent Heiser stated that the amount reflects what the City's cost is in moving the bridge.

MOTION BY: Commissioner Elkin **SECOND BY:** Commissioner Arthaud
Moved to authorize the Chairman sign.

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

MOTION BY: Commissioner Arthaud **SECOND BY:** Commissioner Elkin
Moved to approve the moving of the bridge funds to come out of County Park.

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

Bid Opening – CP-45(20)04

The following bids were received for the 35th Street & 107th Avenue Grading and Aggregate Base project.

- Edward Schwartz Construction, Inc. - \$378,852.08
- Martin Construction, Inc. - \$307,868.35
- Baranko Bros Inc. - \$394,400.00
- Hlebechuk Construction Inc. - \$317,757.61

MOTION BY: Commissioner Elkin **SECOND BY:** Commissioner Arthaud
Moved to accept the apparent low bid of Martin Construction, Inc. in the amount of \$307,868.35 pending the engineer and road superintendent review, and authorize the Chairman's signature.

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

COVID 19

Auditor Haag requested clarification for the following questions concerning COVID19.

When will an employee be able to return to their second jobs? Suggestion was made to follow the state's protocol.

How long will we continue with Friday closure for county buildings and employees' be allowed to telework? Consensus of the Board was to bring all county employees back in on Monday, May 11, and Friday closure will end May 15. Employees with limitations will need to be evaluated.

When will the county be re-opening to the public? Commissioner Elkin suggested that we follow what the State is doing. Auditor Haag would like to see staying closed to the public until after the Primary election on June 9, since we have no vote centers the public may think they can come in and vote and will not be able to. This could cause a lot of confusion. Consensus of the Board was to stay closed to the public until June 10.

Will an employee who leaves the state still have to self-isolate for 14 days? Consensus of the Board was out-of-state travel will be left to the Elected Official/Department Head or immediate supervisor regarding whether it qualifies for the 14 day quarantine, based on the incident rate of travel location. If the location is a high incident location it will qualify for the 14 day quarantine, and the employee will need to use vacation to cover the quarantine.

Recorder Kim Kasian

Ms. Kasian requested direction for individuals requesting marriage licenses, passport applications and individual matters. Currently Ms. Kasian has not been issuing marriage licenses or processing passport applications. Consensus of the Board was marriage licenses will be issued by appointment only, and no marriage ceremonies in the Courthouse. Passports will continue when the lockdown ends.

MOTION BY: Commissioner Arthaud
To adjourn the meeting.

SECOND BY: Commissioner Elkin

DISPOSITION: Motion carried

Kay Haag, Auditor

Pete Kuntz, Chairman