

## Official Proceedings

August 4, 2020  
8:00 am

Chairman Kuntz called the meeting of the Stark County Board of Commissioners to order. Members present Commissioner Franchuk, Commissioner Elkin and Commissioner Arthaud. Commissioner Zander absent. The meeting was open to the public.

### Agenda

Chairman Kuntz asked for any changes to the agenda. Commissioner Franchuk added Asset Forfeiture Board appointment.

**MOTION BY:** Commissioner Franchuk      **SECOND BY:** Commissioner Arthaud  
To approve the agenda with the additions.

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

### Minutes

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

**MOTION BY:** Commissioner Elkin      **SECOND BY:** Commissioner Franchuk  
To approve the July 7, 2020 Board of County Commissioner's meeting minutes as presented.

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

The July 13, 2020 Special Meeting of the Board of County Commissioners minutes were presented.

**MOTION BY:** Commissioner Franchuk      **SECOND BY:** Commissioner Elkin  
To approve the July 13, 2020 Board of County Commissioner's meeting minutes as presented.

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

The July 17, 2020 Special Meeting of the Board of County Commissioners minutes were presented. Commissioner Franchuk requested the Coroner's name in the minutes be corrected to Kirk Roll.

**MOTION BY:** Commissioner Franchuk      **SECOND BY:** Commissioner Arthaud  
To approve the July 17, 2020 Board of County Commissioner's meeting minutes as presented with the one correction.

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

### Accounts Payable

**MOTION BY:** Commissioner Elkin      **SECOND BY:** Commissioner Franchuk  
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 July. Sheriff Lee reported that through the CARES Act the County could receive around \$910,000.00 from the State, based on law enforcement payroll expenses.

### **Road Superintendent – Al Heiser**

Mr. Heiser gave an update on road crew projects.

### **Jeremy Wood – Northern Plains Engineering**

Mr. Wood gave an update on current construction projects and design projects.

### **Attorney General Opinion – HR**

State's Attorney Tom Henning reported that Mr. Hope put together a letter to the Attorney General requesting an opinion as to what the State's Attorney's requirements and responsibilities are involving Human Resources. The Attorney General declined giving an opinion due to no research or other information included with the request. State's Attorney Henning indicated there was a drafting error when the definitions in the policy were put together that the State's Attorney also be the Human Resource Director and suggested the policy be amended to eliminate the definition. State's Attorney Henning said he is not ahead of Human Resources, only advises Human Resources.

**MOTION BY:** Commissioner Franchuk     **SECOND BY:** Commissioner Arthaud

Moved to change our policy and amend the policy to remove the definition referring to the State's Attorney as the Human Resource Director.

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

### **Zoning**

RZ 02-20 Mike Findlay is requesting a rezoning from Agricultural Residential to Rural Residential on Lot 5, Block 2 of the Antelope Subdivision located in the NW4 of Section 17, Township 139, Range 91. Planning and Zoning and staff recommend approval.

**MOTION BY:** Commissioner Franchuk     **SECOND BY:** Commissioner Arthaud

To approve the application for Mike Findlay as presented.

**DISPOSITION:** All voted aye. Motion carried.

MSP 01-20 Mike Findlay is requesting a Minor Subdivision Plat of the Findlay Subdivision described as the replat of Lot 5, Block 2 of Antelope Subdivision in the NW4 of Section 17, Township 139, Range 91. Planning and Zoning and staff recommend approval.

**MOTION BY:** Commissioner Franchuk     **SECOND BY:** Commissioner Arthaud

To approve the application for Mike Findlay replat as presented.

**DISPOSITION:** All voted aye. Motion carried.

ZTA 01-20 Amendments to Article III: General Provisions, and Article V: Zoning District Regulations of the Stark County Zoning Ordinance as adopted on October 2, 2012 regarding residential accessory structures. Planning and Zoning and staff recommend approval.

**MOTION BY:** Commissioner Franchuk      **SECOND BY:** Commissioner Arthaud  
To approve the changes to the Ordinance.  
**DISPOSITION:** All voted aye. Motion carried.

ZTA 02-20 Amendments to Article II Rules and Regulations: Article III: General Provisions, and Article V: Zoning District Regulations of the Stark County Zoning Ordinance as adopted on October 2, 2012 regarding accessory dwelling units. Planning and Zoning and staff recommend approval.

**MOTION BY:** Commissioner Franchuk      **SECOND BY:** Commissioner Arthaud  
To approve the changes to the Ordinance Regulations.  
**DISPOSITION:** Roll call vote. All voted aye. Motion carried.

**Mike Njos – Highland Engineering**

Mr. Njos gave an update on current construction projects.

**COVID 19**

State’s Attorney Henning reported that Emergency Management prepared and submitted a Continuity of Operations Response Plan following the State’s plan for dealing with conditions that could occur including additional outbreaks. No action taken.

Chairman Kuntz announced that the Conference Call equipment is not working.

**Scull Construction**

No one present.

**Sherry Adams – Southwest District Health**

Ms. Adams was unable to attend and had planned to call in to present the SWDHU budget request for 2021.

**Council on Aging – Senior Mill Levy**

Becky Roshau, President of Stark County Council of Aging, thanked the Board for their support, and reported that they are thinking of new ways to provide the needs for our elderly population.

Colleen Rodakowski, Director of Elder Care and Public Transit, reported the meal program has exploded, 4,000 meals a month were served before COVID 19 and currently are over 7,000 a month. All meals are home delivered. Ms. Rodakowski stated that Council of Aging could not do it without the funding.

**Office Building – Building/Grounds Maintenance**

Linda Krebs, Deputy Auditor/HR Coordinator, requested authorization to post the Building/Grounds Maintenance position for the new County office building.

**MOTION BY:** Commissioner Franchuk      **SECOND BY:** Commissioner Elkin  
Moved to post the open position.  
**DISPOSITION:** Roll call vote. All voted aye. Motion carried.

### **Asset Forfeiture Board Appointment**

Commissioner Franchuk reported a committee interviewed applicants for the open board position on the Asset Forfeiture Board and recommends Nicholas Grant.

**MOTION BY:** Commissioner Franchuk      **SECOND BY:** Commissioner Arthaud

To appoint Nicholas Grant to the Asset Forfeiture Board.

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

### **Domestic Violence**

Auditor Kay Haag presented a request for funding for the Domestic Violence and Rape Crisis Center and the Family Connection Safe Visitation Center.

### **HR/Deputy**

Auditor Haag reported in the Auditor's Office we have one staff doing Human Resources and Deputy Auditor, and the workload has become overwhelming. There have been discussions on separating the positions. Ms. Krebs requested that the Human Resources Office be moved out of the Auditor's Office. Conversations have been had with the State and they may have some office space available. No action taken.

The Board recessed for the Park Board meeting at 9:20 AM.

The Board reconvened meeting at 9:55 AM.

### **Park Board**

**MOTION BY:** Commissioner Elkin      **SECOND BY:** Commissioner Franchuk

To approve \$64,550 to sponsor the PRCA Rodeo at the end of September.

**DISPOSITION:** Roll call vote. Commissioner Elkin Aye. Commissioner Franchuk Aye. Commissioner Arthaud Nay. Chairman Kuntz Aye. Motion carried.

### **Preliminary Budget**

Auditor Haag presented the 2021 preliminary budget, based on 0% pay increases. Budgets will be reviewed in more detail during a regular meeting in September. The preliminary budget needs to be approved as the estimated real estate tax statements are required to be mailed out by August 31.

**MOTION BY:** Commissioner Elkin      **SECOND BY:** Commissioner Franchuk

To approve the Preliminary Budget as presented, recognizing there will be changes made along the way.

**DISPOSITION:** Roll call vote. Commissioner Elkin Aye. Commissioner Franchuk Aye. Commissioner Arthaud Abstain. Chairman Kuntz Aye. Motion carried.

### **Andrew Kordonowy - Resolution**

Mr. Kordonowy presented a resolution that Stark County would have open polling locations for the November election. Auditor Haag reported that City of Richardton, City of Belfield, BAC, and the Prairie Hills Mall have been secured as vote centers.

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

To list the Prairie Hills Mall as a new vote center and remove the Armory.

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

Mr. Kordonowy is requesting to identify one vote center to be open on election day.

**MOTION BY:** Commissioner Arthaud      **SECOND BY:** Commissioner Elkin  
To adopt Mr. Kordonowy's resolution to have at least one open polling place in Stark County, identified as Prairie Hills Mall.

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

**MOTION BY:** Commissioner Elkin      **SECOND BY:** Commissioner Arthaud  
To adjourn the meeting.

**DISPOSITION:** Motion carried

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Kay Haag, Auditor

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Pete Kuntz, Chairman