

Official Proceedings

December 5, 2017
8:00 am

Chairman Elkin called the meeting of the Stark County Board of Commissioners to order. Commissioner Zander absent.

Agenda

Chairman Elkin asked for any additions or deletions to the agenda. Red Trail Energy and Insurance was removed, Southwest District Health was added.

MOTION BY: Commissioner Kuntz **SECOND BY:** Commissioner Franchuk

To approve the agenda with the changes.

DISPOSITION: Motion carried

Minutes

The minutes of the November 7, 2017 Board of County Commissioner's meeting were presented.

MOTION BY: Commissioner Hoff **SECOND BY:** Commissioner Kuntz

To approve the minutes of the November 7, 2017 Board of County Commission minutes as presented.

DISPOSITION: Motion carried

The minutes of the November 14, 2017 Board of County Commissioner's special meeting were presented.

MOTION BY: Commissioner Kuntz **SECOND BY:** Commissioner Hoff

To approve the minutes of the November 14, 2017 Board of County Commission special meeting minutes as presented.

DISPOSITION: Motion carried

Accounts Payable

Mr. Heiser advised the chip sealing bills on the resolution record should be removed and have been corrected on the supplement.

MOTION BY: Commissioner Kuntz **SECOND BY:** Commissioner Hoff

To approve the accounts payable with the supplement as presented.

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

General: \$580,552.55;

10 Mil: \$180,139.12;

County Road: \$361,326.29;

Highway Tax Distribution: \$178,057.70;

Social Welfare: \$322,864.21;

Capital Improvement: \$565,717.28;

Fair Association: \$112.39;

County Jail: \$121,945.20;

VSO Fund: \$11,377.02;

County Agent: \$7,905.70;

Weed Control: \$123,368.82;

9-1-1: \$32,892.08;

Misc Grants: \$400.00;

Grant PHSPOP: \$1,093.42;

Security Reimb: \$136.16;

SW Victim Witness Program: \$8,691.75;

Hazardous Chemical Prep: \$133.50;

State Reimbursements: \$25.00;

Siren Contingency: \$258.00;

24/7 Fund: \$11,519.88;

Other Reimbursements: \$47,216.34;

BCI-Asset Forfeiture: \$9,821.04;

Judgment Execution: \$52,578.11;

BCI-Task Force: \$9,821.04;

Jag Grant: Payroll: \$750.00;

911 Equipment: \$1,053.94;

Sheriff Oestreich

Sheriff Oestreich provided his monthly report which included the following:

- 174 criminal papers were received and 141 were served;
- The arrest tally included 6 accidents, 87 stops, 43 citations, and 26 warnings;

- The Sheriff Sales and foreclosures received 6 executions, 0 Sheriff Sales, and revenue of \$481.95;
- 145 civil papers were received and 122 were served;
- Transports included 1 for other counties, 27 criminal, 16 daily court, 3 medical, 16 mental health, and 0 juveniles;
- The truck reg. program had a total of \$0.00 in fines and \$17,169.11 in permits;
- The 24/7 program had a total of \$2,069 in revenue.

Road Superintendent - Al Heiser

Mr. Heiser provided his monthly report which included gravel being completed for the year, getting gravel and scoria ready for 2018, and seasonal employees being dismissed this Thursday.

County Engineer – Justin Hyndman

Mr. Hyndman provided the following monthly report:

- 31st Street SW Structure 45-134-03.0 Replacement – Schwartz Construction, Final documents submitted to contractor;
- Green River Bridge Structure 45-123-3.0 Replacement – Swingen, 2018 Construction;
- 99th Ave SW Tributary of Thirty Mile Cr Structure 133-27.0 Replacement – Bid Dec. 5, 2017, 2018 Construction;
- 119th Ave SW Structure 113-3.0 Replacement – Bid Feb. 6, 2018, 2018 Construction;
- Enchanted Highway Micro-Surfacing – Bid Feb. 9, 2018, 2018 Construction;
- 47th Street SW Structure 129-19.0 and 130-19.0 and 104th Ave SW Structure 128-25.0 Replacement – Bid March 6, 2018, 2018 Construction;
- 35th Street SW Green River Low Water Crossing – KLJ to proceed with pipe option;
- 119th Ave SW Structure 45-113-20.0 Replacement – Bid Nov. 9, 2018, 2019 Construction;
- Structure 45-138-21 Replacement – Bid Nov. 13, 2020, 2021 Construction;
- 112th Ave SW (30th to 32nd) – KLJ will complete wetland monitoring. Submitted 2016 & 2017.

Commission Meeting Dates

The following dates were presented for the 2018 Commissioner's meetings.

- January 2
- February 6
- March 6
- April 3
- May 1
- June 5
- July 3
- August 7
- September 4
- September 18
- October 2

- November 6
- December 4
- December 27

In addition, it was advised Christmas Eve falls on Monday, December 24th and it is requested to close county offices on Christmas Eve.

MOTION BY: Commissioner Kuntz **SECOND BY:** Commissioner Franchuk
To adopt the 2018 meeting dates and close county offices on Monday, December 24th, 2018.

DISPOSITION: Motion carried

Establish Precincts & Polling Places

Ms. Haag presented the City of Dickinson and Stark County precincts for a total of eight and the four polling places of the BAC, Armory, Belfield, and Richardton.

MOTION BY: Commissioner Franchuk **SECOND BY:** Commissioner Hoff
To accept the precincts and polling places as presented.

DISPOSITION: Motion carried

Liquor Licenses

Ms. Haag presented the follow liquor licenses applications for approval.

- Lefor Columbus Club
- The Links Grill & Bar LLC
- St. Pius Verein
- Assumption Abbey
- County Line Truck Stop LLC

MOTION BY: Commissioner Kuntz **SECOND BY:** Commissioner Hoff
To approve the liquor license applications as presented.

DISPOSITION: Motion carried

Delinquent Tax Properties

Ms. Haag presented the following delinquent tax properties for the purpose of offering the properties back to the City of Richardton.

S 21' L 5, All L6 B 12 Original Plat Richardton

MOTION BY: Commissioner Kuntz **SECOND BY:** Commissioner Franchuk
To offer the S 21' L 5, All L6 B 12 Original Plat Richardton to the City of Richardton for \$50 per parcel.

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

S 90' L 1 B 20 Original Plat Richardton

MOTION BY: Commissioner Franchuk **SECOND BY:** Commissioner Hoff
To offer the S 90' L 1 B 20 Original Plat Richardton to the City of Richardton for \$50 per parcel.

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

L 1, 2, 3, 4 S 90', All L 5-6 B 18 Original Plat Richardton

MOTION BY: Commissioner Hoff **SECOND BY:** Commissioner Franchuk

To offer L 1, 2, 3, 4 S 90', All L 5-6 B 18 Original Plat Richardton to the City of Richardton for \$50 per parcel.

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

L19 B 35 Original Plat of Richardton

MOTION BY: Commissioner Franchuk **SECOND BY:** Commissioner Hoff

To offer L19 B 35 Original Plat of Richardton to the City of Richardton for \$50 per parcel.

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

L 14-S 18', L 15, 16-All B 10 Original Plat of Richardton

MOTION BY: Commissioner Hoff **SECOND BY:** Commissioner Franchuk

To offer L 14-S 18', L 15, 16-All B 10 Original Plat of Richardton to the City of Richardton for \$50 per parcel.

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

Zoning

The Vincent and Dorothy Tuhy Trust is requesting a rezoning from Agriculture to Rural Residential on a property located in the NE ¼ of the NE ¼ of Section 23, Township 140, Range 98 containing approximately 12.978 acres. Planning and Zoning along with staff recommend approval.

MOTION BY: Commissioner Hoff **SECOND BY:** Commissioner Kuntz

To approve the rezoning request as presented.

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

The Vincent and Dorothy Tuhy Trust is requesting a rezoning from Agriculture to Rural Residential on a property located at 12125 33rd Street SW in the SE ¼ of the SE ¼ of Section 14 Township 140, Range 98 containing approximately 5.00 acres. Planning and Zoning along with staff recommend approval.

MOTION BY: Commissioner Hoff **SECOND BY:** Commissioner Franchuk

To approve the rezoning request as presented.

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

Southwest District Health Unit

Ms. Haag presented the Commissioners with a Southwest District Health board/staff Christmas party invitation. If anyone is interested in attending please let Ms. Haag know.

Scull

Mr. Cockeram provided a courthouse expansion project and financial overview. Completion date of the project is scheduled for December 30th, 2017. Change order 11 was also presented for signature.

MOTION BY: Commissioner Kuntz **SECOND BY:** Commissioner Hoff

To allow the Chairman to sign change order 11 as presented.

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

Carla Arthaud

Ms. Arthaud presented concerns over the Stark County Weed Board including publishing of meetings and attendance by board members. The Stark County Commission would like to wait until the December 28th scheduled meeting to discuss as Commissioner Zander is absent. Mr. Henning will send a letter to the Weed Board secretary on proper publishing of public meetings.

Bid Opening CBT-0045(16)05 – 99th Ave SW RCB Culvert & Grading

The following bids were received for the CBT-0045(16)05 – 99th Ave SW RCB Culvert & Grading project:

- Baranko Bros, Inc. - \$230,000.00
- Cordova Construction - \$272,429.75
- Edward H Schwartz Construction, Inc. - \$234,813.91
- Martin Construction, Inc. - \$212,822.00
- R Squared - \$339,644.67
- Shep's Welding & Construction - \$236,462.16
- Wilson Construction, Inc. - \$257,925.00

MOTION BY: Commissioner Kuntz **SECOND BY:** Commissioner Hoff

To accept the lowest bid and authorize the Chairman's signature up engineer's review and recommendation.

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

Recorders Appointment/Public Hearings

The County Recorder is resigning and there was discussion on designating the County Recorder position as appointed rather than elected due to the specialized skills required for the job function. Mr. Henning presented a preliminary resolution for the Commission's consideration and advised of a requirement of at least two public hearings.

MOTION BY: Commissioner Hoff **SECOND BY:** Commissioner Franchuk

To authorize the chairman to sign the preliminary resolution to re-designate the County Recorder position to be appointed rather than elected as presented by the State's Attorney.

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

Abatement – Kerschner

An abatement application was heard for the following property:

- Kerschner property with parcel ID 1670-3400-0100 for 2016.

Information was presented on the abatement by Joe Hirschfeld, City of Dickinson Assessor and Kendrick Olson representing the Kerschner property.

MOTION BY: Commissioner Hoff **SECOND BY:** Commissioner Franchuk

To deny the abatement application as presented for the Kerschner property.

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

Abatement – Paradigm

Abatement applications were heard for the following properties:

- Friedman Integrated Apts – 1673-0300-0100 – 2015 and 2016
- Friedman Integrated Apts – 1673-0300-0200 – 2015 and 2016
- Friedman Integrated Apts – 1673-0300-0300 – 2015 and 2016
- Friedman Integrated Apts – 1674-0100-0100 – 2015 and 2016
- Friedman Integrated Apts – 1674-0100-0200 – 2015 and 2016

- Friedman Integrated Apts – 1674-0100-0300 – 2015 and 2016
- Friedman Integrated Apts – 1678-0100-0100 – 2015 and 2016
- Friedman Integrated Apts – 1678-0100-0200 – 2015 and 2016
- Wal-Mart – 0986-0100-0100 – 2015

Information was presented on the abatement by Joe Hirschfeld, City of Dickinson Assessor and Kendrick Olson representing the Kerschner property.

MOTION BY: Commissioner Hoff **SECOND BY:** Commissioner Kuntz

To deny the Friedman Integrated Apt abatement request for 2015.

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

MOTION BY: Commissioner Kuntz **SECOND BY:** Commissioner Hoff

To deny the Friedman Integrated Apt abatement request for 2016.

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

MOTION BY: Commissioner Hoff **SECOND BY:** Commissioner Kuntz

To deny the Wal-Mart abatement request for 2015.

DISPOSITION: Commissioner Hoff called for the question. Roll call vote. All voted aye. Motion carried

Abatement – Robert Hill Law

Abatement applications were heard for the following properties:

- Astoria Hotel – 1000-0100-0101 – 2015 and 2016
- Best Western Hotel – 1000-0100-0206 – 2015 and 2016
- Motel 6 – 0800-0200-0400 – 2015 and 2016

Information was presented on the abatement by Joe Hirschfeld, City of Dickinson Assessor and Kendrick Olson representing the Kerschner property.

MOTION BY: Commissioner Kuntz **SECOND BY:** Commissioner Hoff

To deny the Astoria Hotel abatement request for 2015 and 2016.

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

MOTION BY: Commissioner Hoff **SECOND BY:** Commissioner Franchuk

To deny the Best Western Hotel abatement request for 2015 and 2016.

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

MOTION BY: Commissioner Hoff **SECOND BY:** Commissioner Kuntz

To deny the Motel 6 abatement request for 2015 and 2016.

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

Abatement - Wipfli

Abatement applications were heard for the following properties:

- 1276, 1350, and 1430 Mike Street – 1189-0500-0100 – 2015
- 1275, 1351, and 1431 Mike Street – 1189-0700-0100 – 2015

Information was presented on the abatement by Joe Hirschfeld, City of Dickinson Assessor. There was no representation from Wipfli.

MOTION BY: Commissioner Kuntz **SECOND BY:** Commissioner Hoff

To deny the Wipfli abatement request for 2015.

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

The following Miscellaneous Receipts were filed: General: \$91,102.33; County Road: \$100,961.58; Highway Tax Distribution: \$328,609.47; Social Services: \$160,881.21; Capital Improvement: \$594,666.85; 911 Revenue: \$27,122.03; Adult Education: \$48.00; Fingerprint Station: \$135.00; Estimated Tax Revenue: \$20,264.06; Victim Witness: \$12,653.11; Hazardous Chemical Prep: \$662.50; Preservation Fee: \$1,341.00; 24/7 Fund: \$8,088.00; Other Reimbursements: \$34,623.87; Judgment Execution: \$52,261.66; 911 Equipment: \$4,786.37;

MOTION BY: Commissioner Hoff

SECOND BY: Commissioner Kuntz

To adjourn the meeting.

DISPOSITION: Motion carried