

Official Proceedings

December 6, 2011

8:00 am

Chairman Ken Zander called the meeting of the Stark County Board of Commissioners to order. All members present.

Chairman Zander asked for any additions to the agenda. Comm. Wolf added Oil Well Property. Chairman Zander added Social Service Building. Comm. Hoff added Zoning. Human Resource Generalist Marie Bittner added Exempt vs. Non-Exempt employee. Comm. Hoff moved to approve the agenda with the additions. Comm. Elkin seconded. All voted Aye and the motion carried.

Comm. Kuntz moved to approve the minutes from the November 1, 2011 meeting. Comm. Elkin seconded. All voted Aye and the motion carried.

Comm. Wolf moved to accept the accounts payable as presented plus the supplement. Comm. Hoff seconded. Roll call vote. All voted Aye and the motion carried.

General: Payroll: \$155,107.73; Russ Hoff: \$986.34; Jay Elkin: \$693.20; Doreen Altenburg: \$401.07; Gloria Kukla: \$214.36; Kay Mikkelsen: \$338.83; Ardean Ouellette: \$456.39; Sharon Runcorn: \$366.49; Alice Schulz: \$311.17; Linda L Gingery: \$772.00; Kimberly L Schwartz: \$249.00; ND State Board of Law Examiners: \$1,170.00; Secretary of State: \$214.00; West Payment Center: \$1,394.08; Dakota Water Treatment: \$35.25; SBM Inc: \$2,958.57; Walmart: \$711.93; Consolidated: \$474.68; Xerox Corporation: \$1,209.41; City of Dickinson: \$8,771.15; MDU: \$3,283.48; Roughrider Electric: \$150.00; Southwest Water Authority: \$42.10; Electric Sales & Service: \$610.25; Braun Distributing: \$712.04; Jerome Distributing: \$66.50; Newby's Ace Hardware: \$523.98; ND Insurance Department: \$75.00; Clean Sweep Vacuum: \$58.47; Mann's Plumbing: \$169.50; ProBuild: \$14.08; Rudy's Lock & Key: \$96.00; NDPers: \$15,711.45; Maus & Nordsvan: \$1,353.00; Ottmar & Ottmar: \$337.50; Farmers Union Bis/Man: \$2,653.93; Fleet Services: \$2,061.21; Office of the State Auditor: \$15,000.00; Maintenance Management: \$270.00; Runnings Supply: \$149.97; Schwartz Contracting: \$1,474.74; Sherwin-Williams: \$35.79; Viking Glass of ND: \$3,151.80; Action Cleaning: \$200.00; AT&T Mobility: \$643.33; CMRS-PB: \$10,000.00; US Postal Service: \$270.00; Century Link: \$487.00; Office Max Inc: \$581.85; Quality Quick Print: \$533.25; Service Printers: \$287.40; Unlimited Office Supplies: \$2,570.75; Great Plains Directory: \$453.25; ND Youth Correctional Center: \$5,947.20; Byron & Kathleen Richard: \$222.36; Kubik Bogner Ridl & Selinger: \$150.00; Dickinson Parks & Rec: \$56.16; Dickinson Press: \$264.60; DJ's Tesoro: \$42.33; T-Rex Conoco Inc: \$457.49; ND Post: \$42.00; Expressway Inn: \$138.60; Connie Monson: \$68.75; SW Crime Conference: \$100.00; Visa: \$439.28; Great Plains Clinic: \$638.00; Galls An Aramark: \$569.17; Dakota Rubber Stamp: \$90.35; Advanced Business Methods: \$145.74; Ben Barnhart: \$150.00; Balco Uniforms Co: \$369.00; Superior Cleaners: \$56.00; Uniform & Access: \$69.83; Wanner Western Wear: \$721.61; Quartermaster: \$144.89; Electronic Communications: \$906.00; Kohler Communications: \$121.00; Midas Auto Service: \$162.94; Queen City Upholstery: \$159.50; Sax Motor Co: \$776.78; Cenex Fleetcard: \$45.20; Farmers Union of Richardton: \$287.19; East End Auto: \$75.00; The Attic Sports: \$4,085.00; UltraMax:

\$4,444.34; Motorola Solutions: \$1,100.88; LEC Maintenance: \$7,107.57; Stark County Auditor (Federal Deposit): \$483.32; NDEMA: \$50.00; SW Area Safety Assoc: \$75.00; Hewlett-Packard: \$521.82;

10 Mill: Kadrmas Lee & Jackson: \$10,174.48; Ternes Fencing: \$9,980.00; Outback Lumber Supply: \$4,359.18; Dickinson Press: \$45.50; ND Dept of Transportation: \$40,574.92;

County Road: Onsite Improvements: \$15,551.12; West River Striping: \$1,920.40; Martin Construction Inc: \$5,973.50; Traffic Safety Supply: \$9,968.50; ESP Computers: \$4,195.00; AT&T Mobility: \$80.30; City of Belfield: \$21.50; City of Dickinson: \$3,958.15; City of Richardton: \$54.90; Consolidated: \$44.82; MDU: \$915.01; Roughrider Electric: \$1,009.00; SW Water Authority: \$42.10; Century Link: \$55.95; Border States Electric: \$115.45; Bosch Lumber Company: \$28.14; Hedahl's Headquarters: \$117.24; Lenny's Repair: \$289.90; Praxair: \$3.17; Runnings Supply: \$965.11; SBM Inc: \$107.76; Total Safety US: \$333.25; Gerald Dukart: \$23.80; ACME Electric Co: \$99.00; Dickinson Supply: \$28.25; Matco Tools: \$122.80; Newby's Ace Hardware: \$182.53; Andy's Repair LLC: \$477.16; Basin Hydraulic: \$33.91; Butler Machinery: \$2,819.98; Carquest Auto Parts: \$49.46; J & J Operating: \$632.52; Kohler Communications: \$242.69; Nelson International: \$8,270.68; NW Tire Inc: \$4,032.84; Westlie Crossroads: \$813.06; Boespflug Trailers: \$56.50; Catco: \$3,790.03; Dakota Tool & Machinery: \$28.00; East End Auto: \$95.00; George's Tire Shop: \$960.50; JP Steel & Supply: \$386.32; Prairie Auto Parts: \$64.67; Safelite Fulfillment: \$157.47; Sax Motor Co: \$2,084.02; Wallwork Truck Center: \$23.89; Stone Mill Inc: \$6.00; CRA Payment Center: \$548.44; West Plains Inc: \$387.19; Belfield Automotive: \$32.97; Dakota Filter Supply: \$405.84; RDO Equipment Co: \$25.42; Southwest Grain: \$24,062.68; Dickinson Ready Mix: \$1,020.00; Fastenal Company: \$82.20; Fisher Sand & Gravel: \$772.86; General Steel: \$5.66; Mid-West Doors: \$70.95; NSC Minerals: \$2,126.21; Rummel Auto Wrecking: \$59.52; West Dakota Oil: \$40.80; Farmers Union Oil of Richardton: \$23.45; Pump Systems Inc: \$12.72; Steffan's Saw & Bike: \$70.35; Val's Sanitation: \$2,400.00; Kris Engineering: \$16,815.37; Steffan Feeds: \$2,425.00; Lyle Signs Inc: \$148.93; 3D Specialties: \$1,355.19; Dan's Supermarket: \$38.99; Maintenance Management: \$240.00; SW Ag Repair: \$299.95; Dickinson Press: \$44.80; Kadrmas, Lee & Jackson: \$1,628.21;

Highway Tax Distribution: Payroll: \$84,828.85; NDPers: \$16,216.41;

Social Welfare: NDPers: \$35,247.62; Payroll: \$169,586.99; Social Services: \$21,916.40; ND Dept of Human Services: \$4,285.69;

County Poor: ND Dept of Human Services: \$32,100.38;

IT – Computer/Updates: NDACO Resources: \$15,615.87; AT&T Mobility: \$63.46; Consolidated: \$237.90; Dell Marketing: \$1,432.80; Hewlett Packard: \$3,250.28; Information Technology Dept: \$1,903.00;

Capital Improvement: Electric Sales & Service: \$1,428.64; TMI Storage Systems: \$12,692.00; Kadrmas, Lee & Jackson: \$2,934.02; ProBuild: \$861.32; NDACO Resources: \$44.67; Runnings Supply: \$33.74; JP Steel & Supply: \$12.74;

County Park: Bismarck-Mandan Development Association: \$769.67; Stark County Auditor: \$211.56;

Fair Board: Frank Klein: \$202.80; Stark County Fair Board: \$190.80;

County Jail: SWMCCC: \$118,018.18;

Insurance Reserve: American Insurance Center: \$24.00; ND Insurance Department: \$58.08;

Comp Health Care: NDPers: \$22,258.64; Humana Insurance: \$424.80; Blue Cross Blue Shield: \$158.90;

VSO Fund: Payroll: \$4,334.62; BW Fargo Doublewood Inn: \$138.60; Veteran's Information Service: \$50.00;

Social Security: Stark County Auditor (Federal Deposit): \$30,352.85;

Advertising: Dickinson Press: \$322.17;

County Agent: Payroll: \$5,297.00; NDPers: \$259.21; NDACO: \$113.02; BW Fargo Doublewood Inn: \$63.00; Kurt Froelich: \$754.56; NDSU Extension Service: \$1,038.64; Samantha Roth: \$183.62; Consolidated: \$162.11; SBM Inc: \$335.59; Walmart: \$32.88; Advanced Business Methods: \$1,094.31; Kirsten Hansen: \$134.68; Gayle Pender-Dukart: \$100.00; Deb Theurer: \$100.00;

Weed Control: Payroll: \$8,893.02; NDPers: \$1,958.86; AT&T Mobility: \$21.22; SBM Inc: \$2.85; Crop Production: \$82.36; NDWCA: \$100.00; Stark County Auditor (Federal Deposit): \$188.44;

9-1-1: Payroll: \$3,790.63; NDPers: \$1,216.82; Stark County Auditor (Federal Deposit): \$241.96; City of Dickinson: \$7,753.93; ND APCO Association: \$560.00; Jolyn Bliss: \$197.40; Comfort Suites: \$138.00; Visa: \$138.60; Quality Quick Print: \$211.25; Century Link: \$1,606.23; Consolidated: \$641.00; Reservation Telephone: \$80.00;

Adult Education: Dickinson Press: \$155.00; Ag Communication: \$240.00; Dan's Supermarket: \$26.99; Walmart: \$102.41

Fingerprint Station: Dairy Queen: \$25.00;

Domestic Violence: State Treasurer: \$315.00;

Traf Safety Grant: Payroll: \$1,491.47; Farmers Union Oil of Bismarck/Man: \$191.76;

Cops Grant 2009: Payroll: \$3,571.20; NDPers: \$1,307.17; Stark County Auditor (Federal Deposit): \$248.15;

Cops Grant 2011: Payroll: \$3,392.64; NDPers: \$798.71; Stark County Auditor (Federal Deposit): \$259.54;

Estimate Taxes: Stark County Auditor: \$127,864.35;

SW Victim Witness Program: AT&T Mobility: \$70.40; Payroll: \$4,779.22; Consolidated: \$2.43; NDPers: \$756.62; Stark County Auditor (Federal Deposit): \$327.04;

Hazardous Chemical: Dickinson Press: \$5.60

DVRCC: Domestic Violence: \$692.50;

Preservation Fund: Cass County Treasurer: \$2,345.00; Payroll: \$255.90; Consolidated: \$69.95;

State Reimbursement: Gordon Stevens: \$25.00; Ben Schumann: \$25.00; Nigel Sims: \$25.00;

Siren Contingency: Roughrider Electric: \$227.00;

Other Reimbursements: NDPPost: \$3.00; Schwartz Construction: \$688.26; Consolidated: \$182.00; PNC Equipment Finance: \$33,660.16; Summer Carter: \$21.00; David Farber: \$14.00; Jennifer Foster: \$50.00; Nicole Hunke: \$18.00; Jennifer Kehrber: \$28.00; Kody Kinzel: \$17.00; Dawn Mccarthy: \$24.00; Office of Attorney General: \$560.00; Jeremy Ross: \$22.00; Aaron Sadowsky: \$26.00; Michael Suggs: \$16.00; David Tysver: \$8.00; Pharmchem Inc: \$462.00;

Judgment Execution: Credit Collections: \$200.00; Stark County Sheriff's Dept: \$100.00;

911 Equipment: Consolidated: \$6,505.49;

Comm. Hoff presented a recommendation from the Zoning Board to approve North Park Industrial, LLC's replat. The location being in Blocks, 2, 3, & 4 of County Line Industrial Park lying in Lots 7, 8, 9 & 10 of Section 4, Township 140, Range 96, to be known as County Line Industrial Park Second Addition. Comm. Hoff moved to accept the Zoning Boards recommendation to approve North Park Industrial, LLC's replat, to be known as County Line Industrial Park Second Addition. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

Sheriff Clarence Tuhy gave an update on the task force, court room security and monthly transports.

Sheriff Clarence Tuhy introduced Stephanie Pedersen, Civil Clerk; Matthew Keesler, Civil Deputy; and Jason Wallace, Patrol Deputy.

Sheriff Clarence Tuhy reported on the meeting with Judge Herauf regarding courtroom security. Judge Herauf will request an opinion from the Attorney General's office regarding courtroom security responsibility.

Al Heiser, Road Superintendent, gave update on road projects and cold storage building.

Al Heiser, Road Superintendent, discussed the hiring of a Truck Regulatory Deputy. Benefits and wages will be paid out of Highway Distribution and equipment will be paid out of County Road. Comm. Wolf moved to authorize the hiring of the Truck Regulatory Deputy. Comm. Elkin seconded. All voted Aye and motion carried.

Tim Kelly, Kadrmas, Lee & Jackson, gave the Engineer's report.

Comm. Elkin authorized Chairman Zander to sign the Martin Construction Contract and the Engineering Contract for BRO-0045(052). Comm. Kuntz seconded. Roll call vote. All voted Aye and motion carried.

Shawn Kessel, Dickinson City Administrator, discussed the Joint Powers Agreement for a Planner with Stark County and future annexations.

Comm. Kuntz moved to accept Kadrmas, Lee and Jackson as the Construction Engineer for project BRO-0045(52). Comm. Hoff seconded. All voted Aye and motion carried.

Comm. Hoff presented a recommendation from the Zoning Board to approve Troy Bargmann's final plat, to be known as West Ridge Acres Subdivision. The location being a 12.17 acre tract located in the SW4 Section 2, Township 139, Range 97. Comm. Hoff moved to accept the Zoning Boards recommendation to approve Troy Bargmann's final plat to be known as West Ridge Acres Subdivision. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

Terry Thiel, discussed signage on the Courthouse grounds for Talking Trails in connection with the Theodore Roosevelt/Old Red Old Ten Scenic Byway. Comm. Wolf moved to authorize the Chairman Zander to sign the signage agreement. Comm. Kuntz seconded. All voted Aye and motion carried.

Auditor Kay Haag presented Dakota Land & Colonization Lot 3 Block B, as the one remaining delinquent property taken back for taxes. The City of Dickinson declined purchasing the property for the minimum value. Further discussion will be held.

Auditor Kay Haag reported the GPT Infrastructure Fund has a balance of \$91,875 as of August 30, 2011. Four school districts: Dickinson Public School District, Richardton-Taylor School District, South Hearth School District and Belfield School District each submitted a Request for Allocation from the GPT Infrastructure Fund. Comm. Elkin moved to award Belfield School District with \$39,589, South Heart School District with \$20,000, Richardton-Taylor School District with \$20,000 and Dickinson Public School District with \$12,286. Comm. Wolf seconded. Roll call vote. Comm. Wolf, Comm. Kuntz and Comm. Elkin voted Aye, Comm. Hoff and Chairman Zander voted Naye. The motion carried.

Matt Remsye, Airport Administrator, discussed Airport Security. Matt Remsye was directed by States Attorney Tom Henning to discuss the needs directly with Sheriff Clarence Tuhy.

Auditor Kay Haag presented Beer and Liquor License Applications for St. Pius Verien, Assumption Abbey, Lefor Knights of Columbus and The 19th Hole. Comm. Elkin moved to approve the 19th Hole's Beer & Liquor Application. Comm. Hoff seconded. All voted Aye and motion carried. Comm. Kuntz moved to approve Lefor Knights of Columbus's Beer & Liquor Application. Comm. Wolf seconded. All voted Aye and motion carried. Comm. Hoff moved to approve St. Pius Verien's Beer & Liquor Application. Comm. Elkin seconded. All voted Aye and motion carried. Comm. Wolf moved to accept Assumption Abbey's Liquor Application. Comm. Kuntz seconded. All voted Aye and motion carried.

Bid Opening was held for a used scraper. One bid was submitted by Butler Equipment for \$100,500 on a 2006 613 CAT. Comm. Kuntz moved to accept the bid from Butler Equipment for a 2006 613 CAT Scraper. Comm. Hoff seconded. Roll call vote. All voted Aye and motion carried.

Comm. Wolf moved to reappoint Janice Mosbrucker and Joe Fry to the Badlands Human Service Center Board for a two year term. Comm. Hoff seconded. All voted Aye and the motion carried.

Comm. Elkin moved to reappoint Larry Messer and Chuck Steffan, contingent on Chuck Steffan's acceptance, to the Zoning Board for a four year term. Comm. Hoff seconded. All voted Aye and the motion carried.

Comm. Wolf moved to change the December 27th 2011 Commissioner Meeting to December 28th 2011. Comm. Kuntz seconded. All voted aye and motion carried.

Comm. Hoff moved to authorize Chairman Zander to sign a Quit Claim Deed prepared by the ND Department of Trust Lands, which will allow the abandoned road right-of-way easement acres to be quit claimed back to the Board of University and School Lands. The location being NW4, SW4 Section 16, Township 138, Range 93. Comm. Wolf seconded. Roll call vote. All voted Aye and motion carried.

Elizabeth Okerson, Dickinson Press, presented the opportunity for Stark County to place a publication in the Progress Report. Further discussion will be held in the January 2012 meeting.

Auditor Kay Haag discussed Precincts and Polling Places for the upcoming election. Polling Places will be located at Badlands Activity Center, National Guard Armory, Richardton American Legion and Belfield Memorial Hall. Rural precincts will remain the same. City of Dickinson will have Precinct 1 located in Legislative District 37 and Precinct 2 located in Legislative District 36.

Discussion was held regarding a Planner position for Stark County. Either sharing a part-time planner with the City of Dickinson or hiring a part-time planner.

Discussion was held regarding an Oil and Gas Lease between Stark County and SM Energy Company. States Attorney Tom Henning reviewed the lease and advised Chairman Zander to sign it.

Comm. Elkin moved to authorize Chairman Zander to sign a Resolution for project BRO-005(052). Comm. Hoff seconded. All voted Aye and motion carried.

Comm. Wolf discussed the State Addition lot with the underground pipeline. Discussion was to contact Denbury Onshore LLC in regards to moving the pipeline so the lot could be utilized.

Chairman Zander discussed the future needs for a Social Service building. A conceptual plan and needs assessment will be the first step.

Marie Bittner, Human Resource Generalist, discussed Exempt vs. Non-Exempt employees. Further discussion will be held at the January 2012 Commission meeting.

The following **Miscellaneous Receipts** were filed: General: \$166,166.28; County Road: \$149,739.54; Highway Tax Distribution: \$266,450.54; Social Services: \$123,951.37; IT-Computer/Updates: \$517.77; Capital Improvement: \$122,457.44; Infrastructure: \$21,433.80; County Park: \$70.11; Social Security: \$2,067.29; County Agent: \$150.00; Weed Control: \$4,518.31; 911 Revenue: \$32,877.92; Adult Education: \$235.00; Asset Forfeiture: \$310.00; Fingerprint Station: \$592.00; Domestic Violence: \$359.00; Traf Safety Grant: \$1,683.23; Homeland Security 2009: \$65.00; Estimate Tax: \$720.00; Game and Fish: \$40,153.00; SW Victim Witness Program: \$1,182.50; Hazardous Chemical Prep: \$850.00; Domestic Violence & Rape Crisis Center: \$692.50; Preservation Fee: \$3,723.00; Other Reimbursements: \$2,280.00; Judgment Execution: \$300.00; 911 Equipment: \$10,959.34;

Comm. Hoff moved to adjourn. Comm. Elkin seconded.

Kay Haag, Auditor

Ken Zander, Chairman