

Official Proceedings

February 2, 2010
8:00 am

Chairman Duane Wolf called the meeting of the Stark County Board of Commissioners to order. All members present.

Chairman Wolf asked for any additions to the agenda. Comm. Kuntz added generator. Chairman Wolf added Park and County special meeting. Comm. Hoff moved to approve the agenda with the additions. Comm. Zander seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Elkin moved to approve the minutes from the January 5, 2010. Comm. Kuntz seconded. All voted Aye and the motion carried.

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

General: Payroll: \$129,196.00; Denise M Andahl: \$658.00; Ronald G. Garnden: \$271.20; JP Steel & Supply: \$19.17; BW Seven Seas Inn: \$126.00; Tom Henning: \$155.00; Native American Rights Fund: \$23.50; West Payment Center: \$473.50; Dakota Water Treatment: \$40.25; SBM Inc: \$1,854.20; Walmart: \$284.40; Braun Distributing: \$407.97; Raco Industries: \$187.09; Service Printers: \$110.30; Xerox Corporation: \$1,503.53; Dakota Signwerks: \$15.00; Honeywell International: \$2,525.00; B&M Security: \$16.50; DJ's Tesoro: \$24.00; Ecolab: \$765.74; Electric Sales & Service: \$158.95; Fix It Shop: \$107.92; Jerome Distributing: \$120.20; Mann's Plumbing: \$107.93; Newby's Ace Hardware: \$107.89; Northwest Iron Fireman: \$28.75; Quality Xterminators: \$150.00; Superior Cleaner: \$49.00; City of Dickinson: \$8,024.14; MDU: \$2,570.90; Medcenter One Q & R Clinic: \$368.50; NDPers: \$14,769.49; Job Service North Dakota: \$137.64; Hardy, Maus & Nordsvan: \$676.50; Ottmar & Ottmar: \$232.50; Farmers Union of Bis/Man: \$2,943.78; Keith Signs: \$82.00; Temp Right Services: \$75.00; MDU: \$534.32; Alltel: \$714.66; Consolidated: \$604.37; Qwest: \$487.00; Dickinson Press: \$155.00; Unlimited Office Products: \$156.32; ND Youth Correctional Center: \$914.25; NDACO: \$33.00; Dickinson Parks & Rec: \$70.72; Myron: \$234.21; Belfield Sportsman Club: \$325.00; Great Plains Clinic: \$55.00; ND State Radio Communications: \$877.44; Visa: \$1,378.82; West Government Services: \$193.60; American Insurance Center: \$50.00; Advanced Business Methods: \$157.89; Wanner Western Wear: \$266.40; Electronic Communications: \$3,845.00; Sax Motor Co: \$56.18; T-Rex Conoco: \$168.73; Cenex Fleetcard: \$279.76; Farmers Union Oil of Richardton: \$337.51; Fleet Services: \$2,358.55; Todd Weiler: \$60.00; LEC Maintenance: \$7,509.95; Dennis E Wolf: \$5,300.00; Stark County Auditor (Federal Deposit): \$456.07; NDEMA: \$30.00; Dan's Supermarket: \$28.19; Brent Pringle: \$150.00; Creative Energy: \$50.00; Belfield Ambulance: \$5,000.00; Dickinson Ambulance: \$10,000.00; Richardton-Taylor Ambulance: \$5,000.00; Dickinson Airport: \$15,000.00;

10 Mill: Kadrmas, Lee & Jackson: \$6,080.58; Martin Construction: \$10,230.73; ND Dept of Transportation: \$2,874.09;

County Road: Payroll: \$178.92; Kadrmas, Lee & Jackson: \$2,242.35; Hlebechuk Construction: \$213.00; Martin Construction: \$2,880.00; Dale Christman: \$1,200.00; MGM Rural Sanitation: \$186.00; Quality Xterminators: \$40.00; Alltel: \$89.58; City of Belfield: \$19.40; City of Dickinson: \$63.89; City of Richardton: \$62.10; Consolidated: \$42.12; MDU: \$1,776.93; Roughrider Electric: \$73.00; Southwest Water Authority: \$46.65; Arc Aid Thrift Store: \$9.30; Carquest Auto Parts: \$354.14; Dickinson Supply: \$212.27; Farmers Union Oil of Richardton: \$96.24; General Steel: \$160.00; Michael Todd & Company: \$1,369.82; Newby's Ace Hardware: \$70.98; Royal Chemical Inc: \$657.65; Rummel Auto Wrecking: \$30.40; Runnings Supply: \$284.69; SBM Inc: \$64.24; Schmidt Repair Inc: \$403.26; Tom's Heating Service: \$305.00; Western Fire & Safety: \$182.50; Walmart: \$131.27; Beall Corporation: \$515.23; Dakota Filter Supply: \$113.46; Diamond Truck Equipment: \$2,663.67; George's Tire Shop: \$4,444.00; Kohler Communications: \$47.25; ND Dept of Transportation: \$12.00; Nelson International: \$173.91; Performance Truck Center: \$126.67; Prairie Auto Parts: \$18.81; Sax Motor Co: \$4.63; Butler Machinery: \$6,767.36; DTE Truck Equipment: \$415.13; Lenny's Repair: \$99.38; Ray's Auto Electric: \$129.40; RDO Equipment Co: \$197.48; Todd's Auto: \$50.00; Dakota Farm Equipment: \$64.68; Southwest Grain: \$19,401.32; Alternative Wrecking: \$800.00; B & B Sanitation: \$230.00; Basin Hydraulic: \$102.03; Berger Sanitation: \$280.00; East End Auto & Truck Parts: \$500.00; Mid-West Doors: \$42.00; Kris Engineering: \$13,846.84; Northern Improvement: \$2,029.47; Lyle Signs: \$252.73; ND Dept of Transportation: \$2,214.00;

Highway Tax Distribution: Payroll: \$61,998.43; NDPers: \$14,595.34; Job Service North Dakota: \$431.34;

Social Welfare: Payroll: \$155,987.42; NDPERS: \$38,547.21; Job Service North Dakota: \$1,022.01; Sunrise Youth Bureau: \$15.00; ND Dept of Human Services: \$1,190.10; County Director's Association: \$50.00; DJ's Tesoro: \$120.00; Social Services: \$8,466.98;

County Poor: ND Dept of Human Services: \$23,277.30;

IT – Computer/Updates: NDACO Resources: \$299.00; Payroll: \$4,586.40; NDPers: \$1,194.66; Stark County Auditor (Federal Deposit): \$331.22; Alltel: \$66.05; Consolidated: \$175.25; CDW Government Inc: \$2,042.16; Dell Marketing LP: \$238.80; Hewlett-Packard: \$1,154.00; SBM Inc: \$2,655.04; Information Technology Inc: \$1,248.60; Governsoft: \$11,783.00; Official Payment Center: \$225.00; Visa: \$251.91;

County Park: Taylor Community: \$15,000.00;

Fair Board: Stark County Fair Board: \$15,852.53;

County Jail: SWMCCC: \$48,574.19;

Insurance: American Insurance Center: \$6,231.99;

Comp Health: Blue Cross Blue Shield: \$144.80; NDPers: \$21,320.68;

VSO Fund: Payroll: \$6,015.63; Quality Quick Print: \$129.00;

Social Security: Stark County Auditor (Federal Deposit): \$25,191.45;

Advertising: Dickinson Press: \$108.99; SW Community Service: \$6,500.00; Stark County Historical Society: \$5,000.00; Amy Axtman: \$455.00; Family Connection: \$1,000.00; Domestic Violence & Rape Crisis Center: \$4,000.00;

County Agent: Payroll: \$3,983.08; NDPers: \$368.84; NDSU Extension Service: \$4,500.00; Kurt Froelich: \$30.00; Samanta Roth: \$30.00; Consolidated: \$147.58; Bottom Line/Pers: \$39.00; Creative Concept: \$108.20; SBM Inc: \$100.02; Pitney Bowes Inc: \$285.00; Gayle Pender-Dukart: \$100.00; Deb Theurer: \$100.00;

Weed Control: Payroll: \$4,961.63; Job Service North Dakota: \$2,021.86; NDPers: \$1,030.33; Stark County Auditor (Federal Deposit): \$141.52; Alltel: \$22.10;

9-1-1: Payroll: \$3,310.24; NDPers: \$1,230.47; Stark County Auditor (Federal Deposit): \$220.16; City of Dickinson: \$7,112.92; Qwest: \$1,609.97; Consolidated: \$479.00; Reservation Telephone: \$80.00; NDACO: \$6,406.55;

Adult Education: Golden Valley County Extension Office: \$50.00; SBM Inc: \$83.92;

Domestic Violence: State Treasurer: \$210.00;

Traf Safety Grant: Payroll: \$587.28;

Cops Grant: Payroll: 3,262.16; NDPers: \$1,209.00; Stark County Auditor (Federal Deposit): \$225.12;

Misc Grant: CDW Government Inc: \$8,399.68; L-Tron Corporation: \$394.15;

SW Victim Witness Program: Payroll: \$3,838.95; Linda Presler: \$239.00; Alltel: \$33.19; Consolidated: \$4.60; NDPers: \$674.21; Stark County Auditor (Federal Deposit): \$281.73;

Hazardous Chemical Prep: Mark A. Emmerich: \$90.00;

DVRCC: Domestic Violence: \$597.00;

State Reimbursements: Breanna Loder: \$25.00; Jason Rambousek: \$25.00;

Siren Contingency: Roughrider Electric: \$328.00;

Other Reimbursements: East End Auto & Truck Parts: \$1,300.00; Just In Glass: \$59.90; Mary H. Senger: \$326.70; Alltel: \$99.99; Consolidated: \$178.33; Visa: \$9.85;

Judgment Execution: Stark County Sheriff's Dept: \$364.35; State of ND: \$1,409.19; Farmers Union Oil of Wishek: \$1,809.89; William Pavlenko: \$1,607.99;

Sheriff Clarence Tuhy presented a NDDOT radar unit grant for \$2,000. Comm. Zander moved to authorize the Chairman sign the grant. Comm. Hoff seconded. Roll call vote. All voted Aye and the motion carried.

Sheriff Clarence Tuhy requested out-of-state travel, to South Dakota, for two deputies to attend taser training. Comm. Hoff moved to approve the out-of-state travel for the two deputies. Comm. Kuntz seconded. All voted Aye and the motion carried.

Sheriff Clarence Tuhy gave an update on the task force and monthly transports.

Sheriff Clarence Tuhy discussed the proposed changes to civil process fees for service.

Jan Zent, City Assessor, reported 6 property owners have filed a property tax abatement for a reduction in their 2009 valuation due to tornado damage to their properties. A 50% reduction was given on the valuation to the properties that were demolished or not livable for the remaining six months of the 2009 taxable year. Comm. Zander moved to accept the City of Dickinson's recommendation of a 50% reduction on the valuation to properties that were demolished or not livable for the remaining six months of the 2009 taxable year. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

Rod Landblom, Roosevelt-Custer Regional Council, presented to the Commission for consideration, the proposal to update and revise the Comprehensive Plan that provides guidelines for making decisions regarding planning and zoning. Comm. Hoff moved to go forward with the Comprehensive Plan as proposed by Rod Landblom. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

Al Heiser, Road Superintendent, gave an update on snow removal and gravel crushing.

Al Heiser, Road Superintendent, discussed making road weight limits the same as the state limits.

Comm. Hoff presented a recommendation from the Zoning Board to grant Eric and Christen Steiner's request to amend the zoning ordinance from Agricultural to Residential/Agricultural to build a home, shop and corrals on Sections 28 & 29, Township 137, Range 99 between Highway 85 and the old Highway. Comm. Hoff moved to accept the Zoning Boards recommendation to grant Eric and Christen Steiner's request to amend the zoning ordinance from Agricultural to Residential/Agricultural. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Hoff presented a recommendation from the Zoning Board to grant Verizon Wireless' request for a Conditional Use Permit to construct a tower with a height of 199' and equipment building. The location being in the SW4SE4 Section 5, Township 137, Range 94, site area 10,000 S.F. Comm. Hoff moved to accept the Zoning Boards recommendation to grant Verizon Wireless' request for a Conditional Use Permit. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Zander moved to appoint Rod Landblom for a two year term on the SW Rural Economic Area Partnership (REAP) Board. Comm. Hoff seconded. All voted Aye and the motion carried.

Stark Housing Authority has a vacant position on their Board. The Commission will present some names at the next County Commission meeting, March 2, 2010.

Comm. Elkin moved to appoint Larry Messer to fulfill Ron Hauck's term until January 1, 2012 on the Zoning Board. Comm. Hoff seconded. All voted Aye and the motion carried.

Auditor Alice Schulz presented a US Department of the Army Corps permit for BRO-0045(044) & BRO-0045(046). Comm. Zander moved to authorize the Chairman sign the permit. Comm. Hoff seconded. All voted Aye and the motion carried.

Comm. Kuntz discussed a stand-by generator for the courthouse. The Commission directed Comm. Kuntz to do some research for a generator.

Tim Kelly, Kadrmas, Lee & Jackson, gave the engineers report. Discussion was held regarding a proposed project for the Patterson Lake access road. Discussion was held regarding the seal coat project from Highway 10 to the Enchanted Highway. Discussion was held regarding the mitigation of 167 trees. Discussion was held regarding a stimulus project request for Green River and Highway 10.

Tom Henning, State's Attorney, reported on a letter from St. Alexius Medical Center requesting Stark County to pay for the medical care provided to Ms. Jacquelin Mink for injuries received as a result of a standoff with the Stark County Sheriff's office. Health care services amounted to \$72,869.69 and physician services amounted to \$2,146.00. Stark County is not responsible for Ms. Jacquelin Mink's medical expenses until she becomes a prisoner of Stark County. An arrest was not made at the site of the shooting. Tom Henning will look into at what point Ms. Jacquelin Mink was arrested and became a prisoner of Stark County. St. Alexius Medical Center request for payment will be reviewed at that time.

The following **Miscellaneous Receipts** were filed: General: \$91,608.03; 10-Mill: \$3,071.86; County Road: \$69,327.23; Highway Tax Distribution: \$142,512.90; Special Road & Bridge: \$1,577.44; Social Services: \$46,196.88; County Poor: \$22,277.92; IT-Computer/Updates: \$782.35; Capital Improvement: \$64,426.23; Oil & Gas Infrastructure: \$8,769.13; County Park: \$639.33; County Jail: \$4,289.54; Insurance:

\$2,132.05; Comp Health: \$2,103.26; Emergency: \$525.81; VSO: \$691.86; Social Security: \$3,791.40; Advertising: \$249.07; County Agent: \$1,190.00; Weed Control: \$2,815.87; 911 Revenue: \$22,627.64; Adult Education: \$301.00; Asset Forfeiture: \$35.00; Fingerprint Station: \$88.00; Domestic Violence: \$70.00; Estimate Tax: \$1,752.21; Game and Fish: \$88.00; SW Victim Witness Program: \$6,514.87; Protest Fund: \$1,097.21; Domestic Violence Rape Crisis Center: \$597.00; Preservation Fee: \$2,058.00; Other Reimbursements: \$33,953.69; Judgment Execution: \$5,191.42; 911 Equipment: \$7,542.53;

Comm. Zander moved to adjourn. Comm. Hoff seconded.

Alice Schulz, Auditor

Duane A. Wolf, Chairman

Official Proceedings

**February 4, 2010
2:15 pm**

Chairman Duane Wolf called the special meeting of the Stark County Board of Commissioners to order. All members present.

Arnie Binek, Park Board Chairman, presented an Option to Purchase Real Estate from Catholic Health Initiatives. The option to purchase consists of 38 acres in State Addition with a down payment of \$253,400 to go against the total purchase price of \$1,267,000. It is a two year option on the land, so between now and two years when they exercise the option, the balance of \$1,013,600 will be paid. The Park Board accepted the Option to Purchase Real Estate.

Comm. Elkin moved to accept the Park Boards recommendation to accept the Option to Purchase Real Estate from Catholic Health Initiatives. Comm. Zander seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Zander moved to authorize the Chairman to sign the Option to Purchase Real Estate upon the final review of State's Attorney, Tom Henning.

Comm. Hoff moved to adjourn. Comm. Kuntz seconded.

Alice Schulz, Auditor

Duane A. Wolf, Chairman

