

## Official Proceedings

January 2, 2018  
8:00 am

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

### Agenda

Chairman Elkin asked for any additions or deletions to the agenda. Recorder wages, pledge of assets, and Red Trail Energy were removed.

**MOTION BY:** Commissioner Hoff                    **SECOND BY:** Commissioner Zander

To approve the agenda as presented with the changes.

**DISPOSITION:** Motion carried

### Minutes

The minutes of the December 28, 2017 Board of County Commissioners meeting were presented.

**MOTION BY:** Commissioner Zander                    **SECOND BY:** Commissioner Franchuk

To approve the minutes of the December 28, 2017 Board of County Commission minutes as presented.

**DISPOSITION:** Motion carried

### Election of Officers

Chairman

**MOTION BY:** Commissioner Zander                    **SECOND BY:** Commissioner Kuntz

To appoint Commissioner Elkin as Chairman.

**DISPOSITION:** Motion carried

Vice-Chairman

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

To appoint Commissioner Zander as Vice-Chairman.

**DISPOSITION:** Motion carried

### Accounts Payable

**MOTION BY:** Commissioner Kuntz                    **SECOND BY:** Commissioner Zander

To approve the accounts payable with the supplement as presented.

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

**General:** \$580,412.83;

**County Road:** \$234,512.72;

**Highway Tax Distribution:** \$166,594.48;

**Social Welfare:** \$298,315.42;

**Capital Improvement:** \$416,345.47;

**County Jail:** \$118,616.13;

**VSO Fund:** \$10,270.28;

**County Agent:** \$8,258.51;

**Weed Control:** \$20,498.25;

**9-1-1:** \$30,215.87;

**Grant PHSPop:** \$303.66;

**SW Victim Witness Program:** \$7,934.27;

**Preservation Fee:** \$756.09;

**State Reimbursements:** \$125.00;

**Siren Contingency:** \$371.00;

**24/7 Fund:** \$6,269.70;

**Other Reimbursements:** \$15,907.41;

**BCI-Asset Forfeiture:** \$11,666.76;

**Judgment Execution:** \$538.21;

**BCI-Task Force:** \$10,672.92;

**911 Equipment:** \$111.12;

**Sheriff Oestreich**

Sheriff Oestreich provided his monthly report which included the following:

- 126 criminal papers were received and 111 were served;
- The arrest tally included 11 accidents, 97 stops, 52 citations, and 41 warnings;
- The Sheriff Sales and foreclosures received 4 executions, 3 Sheriff Sales, and revenue of \$981.79;
- 131 civil papers were received and 98 were served;
- Transports included 1 for other counties, 32 criminal, 5 daily court, 2 medical, 5 mental health, and 2 juveniles;
- The truck reg. program had a total \$16,583 in permits;
- The 24/7 program had a total of \$3,152 in revenue.

### **Lease Agreements**

The following lease agreements were presented.

Equipment lease agreement between Stark County and the Stark County Park Board for a 5075E Utility Tractor w/Forklift and Bucket for the year 2018.

**MOTION BY:** Commissioner Zander      **SECOND BY:** Commissioner Franchuk

To extend the lease for a period of one year.

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

Real property lease between Stark County and the Stark County Park Board for a tract of land in the Southeast corner of the Southeast quarter of section 29, township 138N, range 96W of the fifth P.M., Stark County.

**MOTION BY:** Commissioner Zander      **SECOND BY:** Commissioner Franchuk

To accept the presented lease for a period of one year.

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

Real property lease between Stark County and the Stark County Park Board for a tract of land in the Southeast corner of the Southeast quarter of section 29, township 138N, range 96W of the fifth P.M., Stark County.

**MOTION BY:** Commissioner Franchuk      **SECOND BY:** Commissioner Zander

To accept the presented lease for a period of one year.

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

Real property lease between Stark County and the Stark County Park Board for the rodeo grandstands located in tract 1 of the Meyer tracts certificate of survey in section 27, township 139N, range 96W of the 5<sup>th</sup> P.M., Stark County, North Dakota, also shown as on certificate of survey, tract 1 of the Meyer Tracts in the N1/2 and SW1/4 section 27, township 139N, range 96W, Stark County, North Dakota.

**MOTION BY:** Commissioner Zander      **SECOND BY:** Commissioner Kuntz

To accept the lease agreement as presented for a period of one year.

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

### **Signatures**

Chairman Elkin advised he will be out of state the month of January and would like to appoint another commissioner with signature authority.

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

To authorize Commissioner Hoff to sign documents in the Chairman or Vice-Chairman's absence.

Mr. Henning reported the signing authority is only held by the Chairman and Vice-Chairman.

**DISPOSITION:** Motion failed.

**MOTION BY:** Commissioner Zander      **SECOND BY:** Commissioner Kuntz

To withdraw the original motion.

**DISPOSITION:** Motion carried

### **Road Superintendent - Al Heiser**

Mr. Heiser provided his monthly report to include sanding and ice control. In addition the road department staff are working on maintenance and repairs of equipment.

**County Engineer – Justin Hyndman**

Mr. Hyndman provided the following monthly report:

- Green River Bridge Structure 45-123-3.0 Replacement – Swingen, 2018 Construction;
- Tributary of Thirty Mile Cr Structure 133-27.0 Replacement – Martin, 2018 Construction;
- 119<sup>th</sup> Ave SW Structure 113-3.0 Replacement – Bid Feb. 6, 2018, 2018 Construction;
- CMC 4531 Enchanted Highway Micro-Surfacing – Bid Feb. 9, 2018 thru the NDDOT, 2018 Construction;
- 47<sup>th</sup> Street SW Structure 129-19.0 and 130-19.0 Replacement and 104<sup>th</sup> Ave SW Structure 128-25.0 Replacement – Bid March 6, 2018, 2018 Construction;
- 35<sup>th</sup> Street SW Green River Bridge Low Water Crossing – Bid April 4, 2018, 2018 Construction;
- 119<sup>th</sup> Ave SW Structure 45-113-20.0 Replacement – Bid Nov. 9, 2018, 2019 Construction;
- CMC4537 Structure 45-138-21 Replacement – Bid Nov. 13, 2020, 2021 Construction;
- Gravel Crushing – Testing and Survey as needed;
- 112<sup>th</sup> Ave SW (30<sup>th</sup> to 32<sup>nd</sup>) – KLJ will complete wetland monitoring. Submitted 2016 and 2017.

Mr. Hyndman submitted a mitigation application for signature to straighten the road for project 3317109 as it will affect the wetlands.

**MOTION BY:** Commissioner Zander      **SECOND BY:** Commissioner Kuntz

To authorize the chairman to sign the application as presented.

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

**Zoning**

Kay Haag is requesting a rezoning from Agriculture to Agricultural Residential on a property located in the NE ¼ of the SE ¼ of Section 12, Township 140, Range 96 containing approximately 40 acres. Planning and Zoning along with staff recommend approval.

**MOTION BY:** Commissioner Hoff      **SECOND BY:** Commissioner Zander

To approve the zoning request as presented.

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

Kay Haag is requesting a Minor Subdivision Plat of the KSK 2<sup>nd</sup> Subdivision located in the NE ¼ of the SE ¼ of Section 12, Township 140, Range 96 containing approximately 40 acres. Planning and Zoning along with staff recommend approval.

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

To approve the subdivision plat as presented.

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

### **Portfolios**

The 2018 Stark County Commissioner portfolios were presented. Commissioner Kuntz requested to be removed from the Stark County Fair Board as Commissioner Franchuk also has this portfolio. Chairman Elkin reassigned the Stark County Job Development Authority portfolio to Commissioner Kuntz.

### **Board Appointments/Advertising**

Ms. Krebs advised that an application for board appointments have been placed on the Stark County website. Links to board openings will also be posted. Commissioner Zander would like all boards posted on the website to include current member's name and term.

### **Scull**

Mr. Cockeram provided an update to the courthouse addition project. A change order including PR43, 44, 45, and 46 were presented in the amount of \$9,228.97.

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

To approve the change order as presented and authorize the Chairman to sign.

**DISPOSITION:** Motion carried

### **Public Hearing – Preliminary Resolution/Recorder**

Chairman Elkin opened the public hearing.

Bob Zent asked if a job description is being developed for the County Recorder position. Commissioner Zander advised they gathered information from other counties that will be used to compile the job description. Mr. Zent also questioned if the position will be periodically reviewed and possibly re-opened for applications every 4 years. There was no objection to moving the position from elected to appointed.

Chairman Elkin closed the public hearing.

**MOTION BY:** Commissioner Hoff                    **SECOND BY:** Commissioner Zander

To generate a final resolution to be signed by the Chairman designating the office of the Stark County Recorder from elected to appointed.

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

The following Miscellaneous Receipts were filed: General: \$301,139.27; 10 Mill: \$26,292.90; County Road: \$177,715.10; Highway Tax Distribution: \$327,150.01; Sp Road & Bridge: \$7,899.49; Social Services: \$1,934,154.24; Capital Improvement: \$642,923.49; 911 Revenue: \$20,058.50; Emergency: \$2,633.16; Veterans Service Officer: \$88,101.94; County Agent: \$38,742.07; Weed Control: \$4,569.31; E-911 Funds: \$21,824.29; Adult Education: \$230.00; Fingerprint Station: \$140.00; Estimated Tax Revenue: \$7,467.44; Victim Witness: \$2,347.99; Preservation Fee: \$1,191.00; State Reimb: \$1,635.69; Siren Contingency: \$79.18; 24/7 Fund: \$14,175.00; Other Reimbursements: \$5,880.54; Judgment Execution: \$538.21; 911 Equipment: \$3,851.49;

**MOTION BY:** Commissioner Zander                    **SECOND BY:** Commissioner Hoff

To adjourn the meeting.

**DISPOSITION:** Motion carried