

## Official Proceedings

July 5, 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. Hoff added Zoning. Auditor Kay Haag added Vector Control and Shawn Kessel, Dickinson City Administrator. Comm. Elkin moved to approve the agenda with the additions. Comm. Wolf seconded. All voted Aye and the motion carried.

Comm. Hoff moved to approve the minutes from the June 7, 2011 meeting. Comm. Kuntz seconded. All voted Aye and the motion carried.

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

**General:** Ramada Grand Forks: \$63.00; Ramada Grand Dakota: \$356.00; ND States Attorney Assoc: \$550.00; West Payment Center: \$632.15; Consolidated: \$603.57; Dakota Water Treatment: \$35.25; SBM Inc: \$1,176.85; Radisson Hotel Bismarck: \$226.62; RaeDeen Weinberger: \$157.48; Xerox Corporation: \$885.30; ND Assoc of Assessors: \$300.00; Electric Sales & Service: \$1,249.33; Second Nature Greenhouse: \$601.85; Zeller Construction: \$7,002.60; Braun Distributing: \$522.62; Dickinson Tire: \$678.40; DJ's Tesoro: \$110.48; Jerome Distributing: \$139.10; Jon's Home Comfort: \$52.68; Newby's Ace Hardware: \$100.01; Nitro-Green: \$265.00; Steffan's Saw & Bike: \$21.10; Western Fire & Safety: \$121.30; City of Dickinson: \$8,690.84; MDU: \$2,080.85; Walmart: \$114.45; ND Pers: \$16,142.48; Emineth & Associates: \$129.00; Maus & Nordsven: \$699.90; Melbye Law Office: \$206.25; Farmers Union Oil of Bis/Man: \$2,685.55; Fleet Services: \$2,919.06; The UPS Store: \$29.64; AT &T: \$369.51; Qwest: \$487.00; US Postal Service: \$50.00; Big Sky Supply: \$39.00; George Kuchynski: \$8.00; Midland Atlas Company: \$308.00; Pitney Bowes: \$687.36; Southwest Wireless: \$284.89; Visa: \$551.51; ND Youth Correctional Center Dept: \$1,462.80; Public Sector Personal Consultants: \$14,800.00; Dickinson Area Chamber of Commerce: \$75.00; Dickinson Parks & Rec: \$64.48; NDPOA: \$650.00; Westwind Consulting: \$200.00; Advanced Business Methods: \$136.47; Balco Uniforms: \$90.00; Duke's Boot Repair: \$5.00; Galls: \$44.95; Superior Cleaners: \$51.00; Wanner Western Wear: \$122.00; Dan's Body Shop: \$250.00; Parkway Ford: \$102.26; Sax Motor Company: \$374.03; T-Rex Conoco Inc.: \$259.29; ND Dept of Transportation: \$24.50; Cenex Fleetcard: \$60.00; Farmers Union Oil of Richardton: \$369.05; Runnings Supply: \$110.98; The Attic: \$1,634.00; CDW Government: \$647.81; Motorola: \$4,216.00; Ultramax: \$624.00; LEC Maintenance: \$8,756.75; Stark County Auditor (Federal Deposit): \$454.06; Electronic Communications: \$1,060.00; Dickinson Press: \$141.40; Payroll: \$137,879.90

**10 Mill:** Kadrmas Lee & Jackson: \$12,096.93; Onsite Improvements: \$5,235.50;

**County Road:** Kadrmas Lee & Jackson: \$25,394.20; Hlebechuk Construction: \$743.00; Northern Improvement: \$791,582.01; Dakota Farm Equipment: \$2,447.68; AT & T: \$110.94; City of Belfield: \$21.50; City of Dickinson: \$114.58; City of Richardton: \$54.90; Consolidated: \$71.20; MDU: \$270.99; Qwest: \$55.40; Roughrider Electric: \$692.00; Southwest Water: \$42.10; Carquest Auto Parts: \$66.66; Laker Chemical: \$314.00; Newby's Ace Hardware: \$4.49; Runnings Supply: \$32.77; Southwest Wireless: \$99.96; West Dakota Oil: \$3,813.65; Beall Corporation: \$169.98; Dakota Signworks: \$22.75; Marks Tire Service: \$35.80; Nelson International: \$137.38; Todd's Auto: \$10.00; Westlie Truck Center: \$17.20; Butler Machinery: \$2,080.50; NW Tire Inc: \$157.65; RDO Equipment Co: \$169.00; Conway Heupel: \$16.80; Southwest Grain: \$36,780.92; ACME Electric Co: \$10.98; Berger Electric: \$389.53; JP Steel & Supply: \$16.20; Kris Engineering: \$762.32; Gravel Products: \$51,425.40; Laurie Haag: \$15,615.00; Steve F Heinert: \$15,615.00; Jim & Linda Perhus: \$31,230.00; Lyle Signs Inc: \$428.22; Lady J's Catering: \$340.93; ND Insurance Dept: \$600.00; Dickinson Press: \$338.10;

**Highway Tax Distribution:** NDPers: \$15,925.63; Payroll: \$69,659.43;

**Social Welfare:** ND Dept of Human Services: \$3,698.03; Social Services: \$5,905.24; NDPers: \$37,339.34; Payroll: \$150,874.53;

**County Poor:** ND Dept of Human Services: \$33,907.09;

**IT – Computer/Updates:** NDACO Resources: \$374.00; NDPers: \$1,264.00; Stark County Auditor: \$361.38; AT & T: \$94.42; Consolidated: \$158.90; Newby's Ace Hardware: \$71.45; SBM Inc: \$115.98; Southwest Wireless: \$89.97; Information Tech: \$1,242.80; Payroll: \$4,723.99;

**Capital Improvement:** Electronic Communications: \$1,700.00; Great Plains Tower: \$95,067.10; Kadrmas Lee & Jackson: \$4,526.91; Tooz Construction: \$47,787.50; Central Mechanic: \$3,240.00; Denny's Electric: \$15,637.50;

**County Park:** Runnings Supply: \$107.87; Dickinson State University: \$40,000.00; State Fire & Tornado: \$149.03;

**Fair Board:** Stark County Fair Board: \$423.96;

**County Jail:** SWMCC: \$67,394.38; St. Joseph's Hospital: \$89.00;

**Insurance:** American Insurance Center: \$1,009.00; State Fire & Tornado: \$3,921.40; ND Insurance Dept: \$120.00;

**Comp Health Care:** NDPers: \$21,292.14; Blue Cross Blue Shield: \$155.50;

**VSO Fund:** Quality Quick Print: \$374.98; SBM Inc: \$40.27; Payroll: \$6,851.97;

**Social Security:** Stark County Auditor (Federal Deposit): \$27,677.29;

**Advertising:** Dickinson Press: \$373.80;

**County Agent:** NDPers: \$379.04; Kurt Froelich: \$358.26; Samantha Roth: \$594.85; Consolidated: \$152.41; SBM Inc.: \$179.48; Gayle Pender Dukart: \$100.00; Deb Theurer: \$100.00; Payroll: \$4,093.05;

**Weed Control:** NDPers: \$2,286.38; AT & T: \$31.12; Crop Production: \$51,183.25; Runnings Supply: \$88.08; Walmart: \$100.93; Pump Systems Inc: \$104.60; Stark County Auditor (Federal Deposit): \$188.44; Payroll: \$20,141.90;

**9-1-1:** NDPers: \$1,207.96; Stark County Auditor (Federal Deposit): \$234.65; City of Dickinson: \$7,753.93; Qwest: \$1,607.28; Consolidated: \$657.00; Reservation Telephone Coop: \$80.00; ND Association of Counties: \$10,110.64; Payroll: \$3,380.02;

**Adult Education:** Extension Pesticide Program: \$98.00;

**Fingerprint Station:** Trittech Forensics: \$26.50;

**Domestic Violence:** State Treasurer: \$1,435.00;

**Juvenile Alcohol Grant:** Payroll: \$278.26;

**Traf Safety Grant:** Payroll: \$4,393.33;

**Cops Grant:** NDPers: \$1,283.16; Stark County Auditor (Federal Deposit): \$234.49; Payroll: \$3,392.64;

**Security/Transfer DJS Reimb:** Farmers Union Oil Bis/Man: \$139.12;

**SW Victim Witness Program:** SBM Inc: \$337.28; Southwest Wireless: \$29.99; AT & T: \$45.59; Consolidated: \$2.63; NDPers: \$733.15; Stark County Auditor (Federal Deposit): \$307.65; Payroll: \$4,222.85;

**DVRCC:** Domestic Violence: \$729.00;

**Preservation Fund:** Cass County Treasurer: \$1,599.00; Consolidated: \$49.95; Payroll: \$59.71;

**State Reimbursements:** Tom Grosz: \$25.00;

**Siren Contingency:** Denny's Electric: \$430.38; Roughrider Electric: \$254.00;

**Other Reimbursements:** Dan's Body Shop: \$510.80; Consolidated: \$182.00; Pharm Chem Inc: \$16.00; Office of Attorney General: \$3,075.00; Loren Thomas Carlsen: \$30.00; Blake J Hagen: \$35.00; Jennifer Kehrberg: \$25.00; Trevor Oclair: \$3.00; Cambyr Whitworth: \$9.00; Daniel Mason: \$2.00; Joshua Thompson: \$46.00;

**Judgment Execution:** Sherry Dschaak: \$190.78; Stark County Sheriff's Dept: \$195.00; Mandy Zastoupil: \$952.94;

**911 Equipment:** Consolidated: \$52.03; Visa: \$478.00;

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

Comm. Elkin moved to re-appoint Kay Haag as the NDACo Delegate for Stark County. Comm. Kuntz seconded. All voted Aye and the motion carried.

Comm. Wolf moved to appoint Ralph Weisenberger to the Rural Economic Area Partnership (REAP) Board. Comm. Elkin seconded. All voted Aye and motion carried.

Al Heiser, Road Superintendent, gave updates on road projects.

Al Heiser, Road Superintendent, discussed having a NO Truck Parking sign placed in Lutz 4<sup>th</sup> Subdivision.

Comm. Hoff moved to accept and approve the Auditor's report of the pledge of assets and depositories as presented.

<b><u>BANK</u></b>	<b><u>DEPOSITS</u></b>	<b><u>PLEDGE REQUIRED</u></b>
American Bank Center	\$7,180,181.27	\$7,623,199.40
Dacotah Bank	\$0.00	\$0.00
Dakota Community Bank	\$8,802,256.31	\$9,407,481.94
Bremer Bank	\$500,000.00	\$275,000.00

Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Elkin moved to authorize Chairman Zander to sign the Adopting Resolution for June 1, 2011 – May 31, 2012 Cafeteria Plan. Comm. Kuntz seconded. Roll call vote. All voted Aye and motion carried.

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

Auditor Kay Haag discussed redistricting requirements and the possibly of Stark County having to redistrict. This will be determined after reviewing the census numbers for each Commissioner District within Stark County.

Comm. Hoff moved to donate \$75 to the Chamber of Commerce for the Ag BBQ. Comm. Elkin seconded. All voted Aye and the motion carried.

Auditor Kay Haag discussed a request from Vector Control regarding extra financial support for fieldwork, salaries, mileage, etc. due to the excessive rain Stark County received. The Commission requested a financial report before they make a determination.

JoAnn Beckman, DSU Energy Impact Committee, asked for feedback on how the energy related industries has impacted Stark County. Items listed were county roads, law enforcement and correctional staff, rural fire and ambulance, health unit, social services, emergency management, and many new zoning changes.

Comm. Hoff presented a recommendation from the Zoning Board to approve Roger Richards request for a Conditional Use Permit for two RV hookups. The location being in the SE4 Section 15, Township 139, Range 99. Comm. Hoff moved to accept the Zoning Boards recommendation to approve Roger Richards request for a one year Conditional Use Permit. Comm. Elkin seconded. Roll call vote. All voted Aye and motion carried.

Comm. Hoff presented a recommendation from the Zoning Board to deny Morris J Bang and Gerard and Deborah Geigers request for a zoning change from Agricultural to Residential/Agricultural for Lots 1-8 Block 1, Lots 1-4 Block 2 and a zoning change from Agricultural to Residential Low Density for Lots 5-21 Block 2, all of Blocks 3, 4, 5, 6, 7 and 8. The location being 320 acres located in the S2 of Section 29, Township 139, Range 97. The proposed plat is to be known as White Butte Subdivision. Comm. Elkin moved to accept the Zoning Boards recommendation to deny Morris J Bang and Gerard and Deborah Geigers request for a zoning change from Agricultural to Residential/Agricultural and Agricultural to Residential Low Density. Comm. Hoff seconded. Roll call vote. All voted Aye and motion carried.

Comm. Hoff presented a recommendation from the Zoning Board to deny John Kleins request for a zoning change from Agricultural to Industrial for a water loading facility. The location being approximately 8 acres located in the SE4 Section 32, Township 140, Range 94. Comm. Hoff moved to accept the Zoning Boards recommendation to deny John Kleins request for a zoning change from Agricultural to Industrial. Comm. Elkin seconded. Roll call vote. All voted Aye and motion carried.

Bid opening was held for Projects CP-4510(11)02 and CP-4511(11)01, (Highway 10 and South Heart Road). One (1) bid was submitted by Northern Improvement Company in the amount of \$1,433,642.32. Comm. Wolf moved to accept the bid from Northern Improvement Company for \$1,433,642.32, contingent on review of numbers by the County Engineer Tim Kelly and Road Superintendent Al Heiser. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

Chairman Hoff presented a recommendation from the Zoning Board to deny Dale Meuchels request for a zoning change from Agricultural to Residential Low Density. The location being 26.05 acres located in the S2 Section 36, Township 140, Range 95. Comm. Elkin moved to accept the Zoning Boards recommendation to deny Dale Meuchels request for a zoning change from Agricultural to Residential Low Density. Comm. Hoff seconded. Roll call vote. All voted Aye and motion carried.

Chairman Hoff presented a recommendation from the Zoning Board to deny Rhonda Leeds request for a zoning change from Agricultural to Industrial. The location being approximately 123 acres located in the NW4 Section 15, Township 140, Range 96. Chairman Hoff presented a recommendation from the Zoning Board to deny Rhonda Leeds request for a zoning change from Agricultural to Industrial. The location being approximately 86 acres located in the W2NE4 Section 16, Township 140, Range 96. Comm. Hoff moved to accept the Zoning Boards recommendation to deny Rhonda Leeds request for both zoning changes from Agricultural to Industrial. Comm. Elkin seconded. Roll call vote. All voted Aye and motion carried.

Bill Fahlsing, Emergency Manager, presented a Proclamation for a Burn Ban within Stark County. Comm. Wolf moved to authorize the Chairman Zander to sign the Proclamation for the Burn Ban. Comm. Kuntz seconded. Roll call vote. All voted Aye and motion carried.

Gary Kostelecky, gave an update on the tower project.

Chairman Zander opened the public hearing for EDOG Logistics, LLC application for a property tax exemption. John C. Wadsworth, representing EDOG Logistics LLC, presented a five year 100% property tax exemption. South Heart Public School submitted a letter stating the disapproval of the tax incentive. Comm. Elkin moved to deny EDOG Logistics, LLC the property tax exemption. Comm. Kuntz seconded. Roll call vote. All voted Aye and the motion carried.

Duane Schwab, representing Bakken Development, presented the final plat for the Bakken Estates. Comm. Hoff moved to approve the final plat of Bakken Estates. Comm. Kuntz seconded. Roll call vote. All voted Aye and Comm. Elkin abstained.

Bob Zent, Stark County Resident, expressed his concerns regarding Stark County road signs being shot.

Shawn Kessel, Dickinson City Administrator, gave an update regarding the two mile Extra Territorial Zoning and annexation.

The following **Miscellaneous Receipts** were filed: General: \$164,238.43; 10 Mill: \$20,178.56; County Road: \$449,509.91; Highway Tax Distribution: \$194,260.92; Special Road & Bridge: \$6,062.48; Social Services: \$97,722.29; County Poor: \$84,428.98; IT-Computer/Updates: \$268.10; Capital Improvement: \$57,534.43; County Park: \$18,023.25; County Jail: \$15,393.95; Insurance: \$6,062.48; Comp Health:

\$8,410.21; Emergency: \$2,020.83; VSO: \$2,674.62; Social Security: \$19,460.59; Advertising: \$1,040.13; County Agent: \$4,870.45; Weed Control: \$23,171.73; 911 Revenue: \$30,113.34; Adult Education: \$220.00; FingerPrint Station: \$240.00; Domestic Violence: \$1,120.00; Juvenile Alcohol Grant: \$278.28; Traf Safety Grant: \$5,280.68; Cops Grant: \$15,038.87; Misc. Grants: \$2,143.47; Estimate Tax: \$7,811.38; Game and Fish: \$52,199.00; Security/Transfer DJS Reimb: \$139.12; SW Victim Witness Program: \$7,881.85; Domestic Violence & Rape Crisis Center: \$729.00; Preservation Fee: \$2,841.00; State Reimbursements: \$584.25; Other Reimbursements: \$1,694.52; Judgment Execution: \$1,338.72; 911 Equipment: \$10,037.84;

Comm. Hoff moved to adjourn. Comm. Wolf seconded.

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Kay Haag, Auditor

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Ken Zander, Chairman