

Official Proceedings

July 6, 2017
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. Veteran's Pavilion and radio maintenance were added.

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

To approve the agenda as presented with the additions.

DISPOSITION: Motion carried

Minutes

The minutes of the June 6, 2017 Board of County Commissioners meeting were presented.

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

To approve the minutes of the June 6, 2017 Board of County Commission minutes as presented.

DISPOSITION: Motion carried

Accounts Payable

The invoices for TRUAX, John Henry Pederson, and easements were discussed along with the county issued VISA cards.

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

To approve the accounts payable with the supplement as presented.

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

General: \$612,421.69;

10 Mil: \$18,490.75;

County Road: \$988,689.04;

Highway Tax Distribution: \$61,981.15;

Social Welfare: \$321,091.11;

Capital Improvement: \$554,606.04;

County Jail: \$132,579.64;

VSO Fund: \$10,335.54;

County Agent: \$1,444.95;

Weed Control: \$85,205.14;

9-1-1: \$33,286.91;

Adult Education: \$810.00;

Domestic Violence: \$630.00;

Traf Safety PHSPop Grant: \$1,365.37;

Traf Safety PHSPID Grant: \$485.55;

Security Reimb: \$139.12;

SW Victim Witness Program: \$8,812.28;

Protest Funds: \$363,111.90;

Hazardous Chemical Prep: \$404.70;

DVRCC: \$752.50;

State Reimbursements: \$172.08;

Siren Contingency: \$1,493.31;

Other Reimbursements: \$8,501.32;

Judgement Execution: \$1,246.00;

BCI-Task Force Grants: \$17,735.34;

911 Equipment: \$134.72;

Sheriff Oestreich

Sheriff Oestreich provided his monthly report which included the following:

- 163 criminal papers were received and 147 were served;
- The arrest tally included 9 accidents, 190 stops, 140 citations, and 89 warnings;
- The Sheriff Sales and foreclosures received 5 executions, 3 Sheriff Sales, and revenue of \$1,280.
- 191 civil papers were received and 151 were served;
- Transports included 1 for another county, 19 criminal, 8 daily court, 4 medical, 11 mental health, and 3 juveniles;
- The truck reg. program had a total of \$2,000 in fines and \$28,206.40 in permits;
- The 24/7 program had a total of \$1,218 in revenue.

Sheriff Oestreich also discussed turning lanes and traffic flow at the new fair grounds and thanked Commissioner Franchuk for his service with the Sheriff's Department.

Road Superintendent - Al Heiser

Mr. Heiser provided his monthly report and is continuing to work with the City of Dickinson regarding 34th St SW. In addition Mr. Heiser is working with Mr. Fahlsing on the placement of water tanks in rural areas for fire suppression.

County Engineer – Justin Hyndman

Mr. Hyndman provided the following monthly report:

- Bull Creek Structure Replacement – Schwartz Construction.
- Structure 45-134-03.0 Replacement – Schwartz Construction.
- Green River Bridge – USACE is finalizing MOA and will be sending to Stark County for signatures. Historical documentation of the existing bridge will be required.
- South Heart Road Widening – Northern Improvement, complete except chip seal.
- Tributary of Thirty Mile Creek Structure Replacement along 99th Ave SW – The MOA has been signed by SHPO, USACE, and Stark County. KLJ to schedule historical documentation of the existing bridge to satisfy MOA requirements.
- Courthouse Parking Lot – Winn, July start.
- Plum Creek Structure 45-142-20.0 Replacement – KLJ sent out SOV letters and is working on design. Bid date February 9, 2018.
- Structure 45-113-20.0 Replacement – KLJ to pick up environmental and preliminary surveys this summer. Bid date November 9, 2018.
- 112 Ave SW – (30th to 32nd) CMC 4521 Grading and Aggregate 2.3 miles – KLJ will complete wetland monitoring to satisfy the USACE. Submitted 2016.

Zoning

Gary Hondl is requesting a rezoning from Agriculture to Rural Residential on a property located at 11325 44th Street Southwest located in the SE ¼ of Section 7, Township 138, Range 96 containing approximately 15 acres. Planning and Zoning along with staff recommend approval.

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

To approve the rezoning request as presented.

DISPOSITION: Motion carried

Mr. Josephson presented amendments to Article V of the Stark County Zoning Ordinance as adopted on October 2, 2012.

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

To approve the zoning amendments to Article V as presented.

DISPOSITION: Motion carried

Scull

Mr. Cockeram provided an update to the Courthouse Expansion project and presented a completion date of October 13th, 2017. A change order was presented along with an overview of the contingency fund.

MOTION BY: Commissioner Hoff **SECOND BY:** Commissioner Franchuk
To approve the change order as presented.

DISPOSITION: Roll call vote. All voted aye. Motion carried
Mr. Cockeram also provided an overview to complete work on the new addition 3rd floor.

MOTION BY: Commissioner Hoff **SECOND BY:** Commissioner Franchuk
To proceed with the 3rd floor not to exceed \$528,254.

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

Victim Fee Resolution

A victim fee resolution was presented to assess a victim fee of \$25. It was advised that Stark County has been assessing this fee.

MOTION BY: Commissioner Zander **SECOND BY:** Commissioner Franchuk
To sign the resolution as presented.

DISPOSITION: Motion carried

Annual Conference – Oct 8-10

Ms. Haag advised the North Dakota Association of Counties annual conference will be October 8th - 10th, 2017. A block of rooms is reserved at the Bismarck Radisson and Ms. Haag needs to know who will be attending the conference.

Dave Ridl – Section Line Closing (Gerald Praus)

Gerald Praus is petitioning for the closing of a section line and provided a map showing the location. Mr. Heiser advised there are no negative impacts related to this request. Chairman Elkin opened the public hearing. There were no public comments and the Chairman closed the public hearing. Commissioner Hoff advised he is not normally in favor of section line closings however given the circumstances of this request there is support.

MOTION BY: Commissioner Zander **SECOND BY:** Commissioner Kuntz
To approve the section line closing as presented.

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

Siren and Radio Maintenance

Mr. Fahlsing presented a quote from Federal Signal to upgrade the siren software and maintenance. Due to the timing the Chairman signed the quote and a ratification of the signature is being requested.

MOTION BY: Commissioner Zander **SECOND BY:** Commissioner Hoff
To ratify the Chairman's signature on the quote provided.

DISPOSITION: Motion carried

Mr. Fahlsing presented a service contract for the 9-1-1 phone and radio logger along with the 9-1-1 radio system. The monthly fee for the service contracts is \$2,167. There is funding in the 9-1-1 equipment fund to cover this contract.

MOTION BY: Commissioner Hoff **SECOND BY:** Commissioner Kuntz
To authorize the Chairman to sign both service contracts as presented.

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

School Annexations

Ms. Haag advised that the application for the school district annexations previously submitted was rejected by the State. Ms. Haag will need to appoint a new committee to handle this issue. No action is needed from the Commission at this time.

Gene Buresh – Roosevelt Custer

Mr. Buresh thanked the Commission for their continued support and discussed the possibility of utilizing the existing 3rd floor of the courthouse for office space when the expansion project is complete. Chairman Elkin appointed Chairman Zander to work with Mr. Buresh to develop a fee schedule for the office space.

Board Appointments

Ms. Haag advised that Commissioner Kuntz will remain on the Social Service board and the Commission will need to reappoint James Hope and Sherry Adams.

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

To reappoint James Hope and Sherry Adams to the Social Service board.

DISPOSITION: Motion carried

Veteran's Pavilion

Representatives provided information on the new Veteran's Pavilion and overview of the budget. Commissioner Zander would like to discuss this at a Park Board meeting and pledge the same as the City of Dickinson. A special Park Board meeting will be held at 3:00pm today for discussion.

Roer's Abatement

Information on the request was provided by Mr. Hirschfeld with the City of Dickinson and a representative of Roers. Mr. Henning advised the Commission is now in a position to act on the abatement but does not have enough information to make an adjustment.

MOTION BY: Commissioner Zander **SECOND BY:** None

To reject the applicants application and approve the City of Dickinson's recommendation.

DISPOSITION: Motion failed

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

To accept the City of Dickinson's appraisal and assessment.

DISPOSITION: Roll call vote. Commissioner Hoff, abstained. Commissioner Franchuk, Nay. Commissioner Kuntz, Aye. Commissioner Zander, Aye. Chairman Elkin, Aye. Motion carried

Other

Bridge Collapse Lawsuit

Mr. Henning advised there was an offer made in an attempt to generate discussion and will continue to notify the Commission of the progress.

Mr. Henning also advised that he will follow up on the invoice to the City of Dickinson regarding the Law Enforcement Center.

The following Miscellaneous Receipts were filed: General: \$233,325.75; 10 Mill: \$25,944.29; County Road: \$208,495.70; Highway Tax Distribution: \$294,248.76; Sp Road & Bridge: \$7,794.75; Social Services: \$63,521.27; County Poor: \$108,553.39; Capital Improvement: \$109,879.33; County Jail: \$19,863.55; Emergency Fund: \$2,598.25; Veterans Service Officer: \$3,438.86; County Agent: \$6,037.11; Weed Control: \$9,396.73; 911 Revenue: \$30,381.76; Fingerprint Station: \$30.00; Domestic Violence: \$805.00; Traf Safety PHSPIP: \$485.55; Estimated Tax Revenue: \$727.00; Security/Transfer DJS Reimb: \$273.80; SW Victim Witness Program: \$18,963.50; Hazardous Chemical Prep: \$8,637.50; Domestic Violence & Rape Crisis Center: \$752.50; Preservation Fee: \$3,405.00; Judgment Execution Revenue: \$1,246.00; State Reimbursements: \$1,249.84; Other Reimbursements: \$9,800.20; BCI Task Force: \$47,187.36; 911 Equipment: \$5,361.63;

MOTION BY: Commissioner Franchuk **SECOND BY:** Commissioner Kuntz
To adjourn the meeting.

DISPOSITION: Motion carried