

## Official Proceedings

March 7, 2017  
8:00 am

Chairman Elkin called the meeting of the Stark County Board of Commissioners to order. Commissioner Franchuk absent.

### Agenda

Chairman Elkin asked for any additions or deletions to the agenda. Colonial Life was added.

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

To approve the agenda as presented with the addition.

**DISPOSITION:** Motion carried

### Minutes

The minutes of the February 7, 2017 Board of County Commissioners meeting were presented.

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

To approve the minutes of the February 7, 2017 Board of County Commission minutes as presented.

**DISPOSITION:** Motion carried

### Accounts Payable

An invoice was questioned regarding the boarding of a prisoner for McLean County.

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

To approve the accounts payable with the supplement as presented and hold the payment for McLean County until further clarification can be provided.

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

**General:** \$603,039.46;

**10 Mil:** \$27,629.85;

**County Road:** \$97,652.39;

**Highway Tax Distribution:** \$140,357.48;

**Sp Road & Bridge:** \$44,558.53;

**Social Welfare:** \$277,822.40;

**Capital Improvement:** \$529,374.48;

**County Jail:** \$118,554.72;

**VSO Fund:** \$8,832.67;

**County Agent:** \$6,720.99;

**Weed Control:** \$20,274.54;

**9-1-1:** \$24,162.00;

**Adult Education:** \$287.84;

**Domestic Violence:** \$210.00;

**Traf Safety PHSPID Grant:** \$737.46;

**Security Reimb:** \$275.28;

**SW Victim Witness Program:** \$7,677.62;

**DVRCC:** \$492.00;

**Preservation Fee:** \$3,209.04;

**State Reimbursements:** \$859.90;

**Siren Contingency:** \$282.00;

**Other Reimbursements:** \$14,626.20;

**Judgement Execution:** \$5,402.52;

**BCI-Task Force Grants:** \$20,142.49;

**911 Equipment:** \$4,377.44;

**Sheriff Oestreich**

Major Moser provided the monthly report which included the following:

- 170 criminal papers were received and 181 were served;
- The arrest tally included 5 accidents, 113 stops, 61 citations, and 22 warnings;
- 148 civil papers were received and 122 were served;
- Transports included 2 for other counties, 20 criminal, 24 daily court, 2 medical, 13 mental health, and 3 juveniles;
- The truck reg. program had a total of \$7,150 in fines and \$0.00 in permits;
- The 24/7 program had a total of \$5,099 in expenditures.

A quote was presented for the Watchguard system however Major Moser advised this should have already been paid for.

Rob Remark with JLG Architects presented two change orders related to the remodel project in the amount of \$3,650.

**MOTION BY:** Commissioner Zander      **SECOND BY:** Commissioner Kuntz  
To approve the change orders as presented and authorize the Chairman's signature.  
**DISPOSITION:** Roll call vote. All voted aye. Motion carried

Mr. Fahlsing advised that the emergency management remodel project has begun and is expected to be completed in approximately 5 weeks. There may be some minor change orders related to this project however due to the short time-frame, requesting the Chairman be authorize to approve any change orders that come in.

**MOTION BY:** Commissioner Zander      **SECOND BY:** Commissioner Hoff  
To authorize the Chairman's signature on any documents related to the emergency management remodel project.  
**DISPOSITION:** Roll call vote. All voted aye. Motion carried

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

Mr. Heiser presented his monthly report. Load restrictions are currently in place and listed on the County website. Mr. Heiser is also attempting to get a cell phone booster for the county shop.

### **County Engineer – Justin Hyndman**

Mr. Hyndman provided the following monthly report:

- 112<sup>th</sup> Ave SW 30<sup>th</sup> to 32<sup>nd</sup> CMC 4521 Grading and Aggregate 2.3 miles – KLJ will complete wetland monitoring to satisfy the USACE. Submitted 2016.
- 112<sup>th</sup> Ave SW Green River Bridge 120-03.0 – NDDOT has accepted the project and will be closed.
- Bridge 45-141-20.0 – Close and final bill.
- Hwy 10, 116<sup>th</sup> Ave SW from Hwy 10 south to the Refinery – Close and final bill.
- Bull Creek Structure Replacement – PS&E meeting was February 23, 2017. Bid date April 4<sup>th</sup>, 2017.
- Green River Bridge Structure 45-123-3.0 Replacement – KLJ working on design and waiting on response from USACE to proceed ahead with the bridge adoption.
- Structure 45-134-03.0 Replacement – PS&E meeting was February 23, 2017. Bid date April 4<sup>th</sup>, 2017.
- South Heart Road Widening – Bid date March 7<sup>th</sup>, 2017.
- CBP-0045(16)05 – KLJ submitted cultural report to the USACE for a preliminary determination for what can be done with the existing historical bridge.
- Courthouse Parking Lot – KLJ will submit plans to Dickinson Planning and Zoning by March 3<sup>rd</sup> for the April 19<sup>th</sup> meeting.
- Plum Creek Structure 45-142-20.0 Replacement – Project was approved for TRIP funds. Bid date February 9<sup>th</sup>, 2018.
- Structure 45-113-20.0 Replacement – Project was approved for federal bridge funds. Bid date November 9<sup>th</sup>, 2018.

### **Ross Lawsuit**

State's Attorney Henning advised the Commission that the court has ordered a summary judgement in favor of the County regarding the Ross lawsuit.

**Park Board Contribution \$65,000 – Fair Assoc. Motion**

A motion was made at the last Park Board meeting to provide \$65,000 to the Fair Association and is being presented to the County Commission for approval.

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

To authorize the \$65,000 contribution to the Fair Association.

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

**Colonial Life**

A recommendation was made to add Colonial Life as a provider of the County's voluntary benefits under chapter 6 section 1 of the Stark County personnel handbook.

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

To approve the change to the personnel handbook as presented.

**DISPOSITION:** Motion carried

**Scull**

Scull Construction presented an update to the Courthouse Expansion project which included 7 weather days with a scheduled completion date of August 28<sup>th</sup>, 2017. A change order was presented related to the roof in the amount of \$5,884 and was recommended this cost be taken out of the owner contingency fund.

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

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

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

**Weed Control Agreement**

The 2017 weed control agreement was presented between Stark County and the City of Dickinson

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

To authorize the Chairman's signature for the weed control agreement as presented.

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

**Prescription Drug Card**

Ms. Haag presented a prescription drug card program offered through the National Association of Counties. There is no cost to this program. No action was taken.

**Vision West ND Planning & Zoning Training**

Mr. Josephson presented information on a Planning & Zoning workshop covering Planning & Zoning basics, wind farms, and special waste landfills. The workshop will be held March 30<sup>th</sup> in Killdeer.

**Bid Opening COIB-4511(061)PCN2175 South Heart Road Widening**

The following bids were received for the South Heart Road Widening project.

- Knife River - \$934,354.39
- Mayo Construction Company - \$751,110.74

- Northern Improvement Company - \$721,951.95

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

To award the bid to Northern Improvement in the amount of \$721,951.95.

**DISPOSITION:** Roll Call Vote. All voted aye. Motion carried

### **Receipts**

Concern was expressed regarding receiving receipts from purchases. State's Attorney Henning advised that the County is fulfilling legal requirements and this is a concern of the state auditors.

### **Hebron-Richardton-Taylor School Annexation**

Ms. Haag presented three petitions for annexation of property from one public school district to another. There are three families requesting annexation into the Richardton school district. Ms. Haag advised she will begin this process for completion at the next County Commission meeting.

### **Taylor Lots**

The City of Taylor provided Stark County a letter outlining the special assessment fees regarding the Stark County owned lots. It was determined that these lots are not needed by the County and would like to sell the lots to the City of Taylor.

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

To offer the property in question to the City of Taylor at a cost of \$1.00 per lot.

**DISPOSITION:** Motion carried

### **City of Dickinson – 3 Abatements**

Menards

Mr. Hirschfeld advised that the building was once again measured and the square footage was determined to be accurate to the City's measurements provided at the last Commission meeting. The City of Dickinson is recommending denial of the request.

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

To deny the abatement request from Menard's and accept the City of Dickinson's value.

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

Sierra Ridge Apartments

Mr. Hirschfeld provided an overview of the Sierra Ridge Apartment's abatement request. The City of Dickinson is recommending denial of the request.

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

To deny the abatement request from Sierra Ridge Apartments and accept the City of Dickinson's value.

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

Microtel Hotel

Mr. Hirschfeld provided an overview of the Microtel Hotel abatement request. The City of Dickinson is recommending denial of the request.

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

To deny the abatement request from the Microtel Hotel and accept the City of Dickinson's value.

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

**Call for Bid – Gravel Crushing, Hot Bituminous & Equipment Rental**

The following bids were received for Gravel Crushing:

- Fisher Sand and Gravel - \$3.35 per unit
- Meyer Aggregate - \$3.40 per unit for gravel, \$3.00 per unit for scoria, and \$3.55 per unit for shale.

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

To accept all bids to be filed to be used at the Road Superintendent's discretion.

The following bid was received for hot bituminous:

- Northern Improvement - \$70 per unit

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

To accept all bids to be filed to be used at the Road Superintendent's discretion.

**DISPOSITION:** Motion carried

Equipment Rental

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

To accept all bids to be filed to be used at the Road Superintendent's discretion.

**DISPOSITION:** Motion carried

The following Miscellaneous Receipts were filed: General: \$96,191.69; 10 Mill: \$8,974.87; County Road: \$159,052.73; Highway Tax Distribution: \$209,860.72; Sp Road & Bridge: \$2,722.71; Social Services: \$214,102.79; County Poor: \$38,319.67; Capital Improvement: \$456,867.55; County Jail: \$6,655.52; Emergency Fund: \$907.57; Veterans Service: \$1,109.25; County Agent: \$1,845.14; Weed Control: \$5,971.09; 911 Revenue: \$21,071.63; Adult Education: \$174.00; Fingerprint Station: \$552.50; Domestic Violence: \$560.00; Traf Safety PHSPID: \$1,494.96; Misc Grants: \$1,099.67; Estimate Taxes: \$727.00; Security/Transfer DJS Reimb: \$205.72; SW Victim Witness Program: \$1,317.00; Protest Funds: \$428,021.13; Domestic Violence & Rape Crisis Center: \$492.00; Preservation Fee: \$1,500.00; Other Reimbursements: \$10,273.02; Judgement Execution: \$5,252.52; BCI Task Force: \$42,096.04; 911 Equipment: \$5,715.91;

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

To adjourn the meeting.

**DISPOSITION:** Motion carried