

Official Proceedings

May 1, 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. Red Trail Energy was added.

MOTION BY: Commissioner Hoff **SECOND BY:** Commissioner Franchuk

To approve the agenda as presented with the additions.

DISPOSITION: Motion carried

Minutes

The minutes of the April 3, 2018 Board of County Commissioners meeting were presented.

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

To approve the minutes of the April 3, 2018 Board of County Commission minutes as presented.

DISPOSITION: Motion carried

Accounts Payable

A quote from Consolidated was provided to add a paging feature in the event of an emergency in the amount of \$2,554.

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

To approve the quote from Consolidated to be paid out of the general fund.

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

Veterinarian bills were discussed related to an animal case. If there is a guilty plea the county is required to sell the property and use funds to pay for associated bills however the property sale is not expected to cover all costs.

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

To approve the accounts payable with the supplement as presented.

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

General: \$598,646.90;

10 Mil: \$228,305.60;

County Road: \$131,369.77;

Highway Tax Distribution: \$181,872.51;

Social Welfare: \$292,197.01;

Capital Improvement: \$51,240.93;

County Jail: \$122,199.87;

VSO Fund: \$10,784.98;

County Agent: \$8,355.86;

Weed Control: \$20,622.83;

9-1-1: \$27,012.69;

Adult Education: \$235.70;

Traf Safety PHSTOP: \$795.33;

Security Reimb: \$144.30;

SW Victim Witness Program: \$7,836.51;

State Reimbursements: \$150.00;

Siren Contingency: \$326.00;

24/7 Fund: \$6,529.52;

Other Reimbursements: \$20,634.53;

BCI-Asset Forfeiture: \$11,821.73;

Judgment Execution: \$3,990.00;

BCI-Task Force: \$82.50;

911 Equipment: \$134.72;

Poster Contest

School classes were invited to observe a County Commission meeting and those in attendance were welcomed. The following were presented with awards for the poster contest.

- 1st Place – Ayla Williams
- 2nd Place – Rainey Zettel
- 3rd Place – Christina Dohrmann

Sheriff Oestreich

Sheriff Oestreich provided his monthly report which included the following:

- 178 criminal papers were received and 133 were served;

- The arrest tally included 5 accidents, 53 stops, 17 citations, and 11 warnings;
- The Sheriff Sales and foreclosures received 11 executions, 3 Sheriff Sales, and revenue of \$1,948.55;
- 136 civil papers were received and 102 were served;
- Transports included 1 for other counties, 17 criminal, 7 daily court, 10 mental health, and 4 juveniles;
- The truck reg. program had a total of \$0.00 in fines and \$13,567.25 in permits;
- The 24/7 program had a total of \$3,706.64 in expenditures.

Sheriff Oestreich also provided an update on a new officer in training for the truck regulatory position.

Road Superintendent - Al Heiser

Mr. Heiser presented his monthly report to include blading side roads, crack and rubber sealing, gravel crushing, and low water crossings. Mr. Heiser had a meeting with the City of Dickinson regarding 34th St SW from Highway 22 to the bypass and recommended an agreement regarding this project with the City of Dickinson.

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

To authorize Mr. Heiser to proceed with cost analysis of the construction project and prorate the cost based on ownership with a clearly defined working contract with the City of Dickinson for payment.

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

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

To approve two low water crossing projects as presented to be paid out of the special road and bridge fund.

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

Mr. Heiser will also be meeting with Dunn County regarding a county line project for 2019.

County Engineer – Justin Hyndman

Mr. Hyndman provided the following monthly report:

- Green River Bridge Structure 45-123-3.0 Replacement – Swingen, 2018 Construction;
- 47th Street SW Structure 129-19.0 and 130-19.0 Replacement and 104th Ave SW Structure 128-25.0 Replacement – Shep’s Welding, 2018 Construction starting June 1st;
- 35th Street SW Green River Bridge Low Water Crossing – Bid April 3, 2018, 2018 Construction, start late July/early Aug;
- 47th Street SW Structure 142-20.0 and 142-20.1 Replacement – Bid May 1, 2018, 2018 Construction;
- 119th Ave SW Structure 45-113-20.0 Replacement – Bid Nov. 9, 2018 thru the NDDOT, 2019 Construction;
- CMC4537 Structure 45-138-21 Replacement – Bid Nov. 13, 2020 thru the NDDOT, 2021 Construction;

- 112th Ave SW (30th to 32nd) – KLJ will complete wetland monitoring. Submitted 2016 and 2017.

Randy Sickler – Section Line Closing

Mr. Sickler with Ebeltoft Sickler Lawyers and Mr. Braun from the Dickinson Airport filed a petition to vacate a section line road for an airport expansion project as the proposed runway will cross the section line. A request was made to hold a special meeting for a public hearing regarding the section line closure.

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

To set the public hearing for the section line closing for May 24th, 2018 at 10am.

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

Scull

Mr. Cockeram provided an update to the expansion project including completion of the 2nd floor tie-in. The dedication plaque will be placed in the northwest corner of the hallway into the new commission room. The punch list is 99% complete. Final payment will be requested at the next commission meeting along with a change order.

Bid Opening – CBP-0045(15)02 & CBP-0045(15)03, 47th St SW RCB, Culverts & Grading

The following bids were received for the 47th St SW RCB Culverts project:

- Baranko Bros., Inc. - \$458,255.47
- Central Specialties, Inc. - \$489,104.90
- Edward H Schwartz Construction, Inc. - \$421,624.00
- Martin Construction, Inc. - \$518,500.00
- Shep's Welding & Construction - \$507,200.00
- Wilson Construction, Inc. - \$527,545.00

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

To accept the apparent low bidder of Edward H Schwartz Construction, Inc. in the amount of \$421,624.00 pending the engineer's review and authorize the Chairman's signature.

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

Siren Grant – Bill

Mr. Fahlsing presented a grant to the Energy Infrastructure and Impact Office in the amount of \$22,015.00 for the addition of an outdoor warning siren at the Stark County Fairgrounds. Although no grant match was specified, Mr. Fahlsing advised 25% would be appropriate and anything over a 25% match would need to be presented to the county commission.

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

To authorize the Chairman's signature on the grant application as presented.

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

Red Trail Energy

Mr. Henning provided an overview of the request for Red Trail Energy to purchase the stocks currently held by Stark County.

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

To return shares held by Stark County of Red Trail Energy, LLC back to the CDBG.
DISPOSITION: Roll call vote. All voted aye. Motion carried

Jeremy Wood

Mr. Wood provided an update on projects being worked on for Stark County on behalf of Northern Plains Engineering. In addition, a US Army Corps of Engineers application was presented for signature.

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

To authorize the Chairman's signature on the presented application.

DISPOSITION: Motion carried

Western Dakota Energy Association – Delegate

Commissioner Franchuk is the current Stark County delegate to the Western Dakota Energy Association and is requesting that Mr. Heiser be appointed as the alternate delegate.

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

To accept Mr. Heiser as the alternate delegate to the Western Dakota Energy Association.

DISPOSITION: Motion carried

Zoning

VAR 02-18 – Jessica Anderson Fricks and Jason Morell are requesting a variance to the minimum lot size for the Rural Residential zoning district and the minimum lot size for the rear yard setback requirement on a property located at 9289 Highway 10 in the NW ¼ of the SW ¼ of Section 34, Township 140, Range 93 containing approximately 3.69 acres. Planning and Zoning along with staff recommend approval.

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

To approve the variance request as presented.

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

Imagination Library – Wanda Hansen, Marissa Armstrong

Ms. Armstrong provided a handout that included a program overview. The 2018 Stark County budget provided the Imagination Library with \$5,000. Ms. Armstrong presented a request for the 2019 budget in the amount of \$10,000.

Park Board

The following motions were requested on behalf of the Stark County Park Board.

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

To authorize payment to Western Fencing in the amount of \$21,900 to be paid out of the park board general fund account.

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

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

To provide a \$15,000 grant to the Southwest Speedway to be paid out of the park board general fund account.

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

Haylee Cripe – Richardton

Ms. Cripe representing the City of Richardton presented a draft agreement between the City of Richardton and Stark County to expand the City of Richardton’s extraterritorial zoning area an additional one-half mile. The first half mile is provided to the City of Richardton by century code. The Commission requested Mr. Henning’s office review the presented agreement.

Social Service Building – Isaac/Ken

Isaac advised the building committee would like to put out a request for qualification for architectural services. Mr. Henning will review the request for qualification and present a recommendation at the next commission meeting.

The following Miscellaneous Receipts were filed: General: \$112,754.60; County Road: \$73,758.41; Highway Distribution: \$259,318.36; Social Services: \$25,597.20; Capital Improvement: \$159,576.57; County Agent: \$42.85; Weed Control: \$10,782.30; E-911 Funds: \$26,113.68; Fingerprint Station: \$95.00; Misc Grants: \$2,008.04; PHSPOP Grant: \$1,397.08; Estimated Tax Revenue: \$765.00; DJS Reimbursement: \$433.64; Victim Witness: \$2,516.35; Preservation Fee: \$1,344.00; 24/7 Fund: \$5,846.00; Other Reimbursements: \$22,613.77; Workers Comp: \$543.83; Judgment Execution: \$3,990.00; BCI Task Force: \$7,265.05; 911 Equipment: \$4,600.78;

MOTION BY: Commissioner Zander
To adjourn the meeting.

SECOND BY: Commissioner Kuntz

DISPOSITION: Motion carried