

## Official Proceedings

October 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 changes to the agenda. Commissioner Zander added JLG Architect Update.

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

To approve the agenda as presented with the changes.

**DISPOSITION:** Motion carried

### Minutes

The minutes of the September 18, 2018 Board of County Commissioners meeting were presented.

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

To approve the minutes of the September 18, 2018 Board of County Commission minutes as presented.

**DISPOSITION:** Motion carried

### Accounts Payable

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

To approve the accounts payable with the supplement as presented.

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

**General:** \$537,976.10;

**10 Mil:** \$592,728.16;

**County Road:** \$135,347.95;

**Highway Tax Distribution:** \$175,704.44;

**Social Welfare:** \$296,085.88;

**Capital Improvement:** \$488.32;

**County Jail:** \$131,091.81;

**VSO Fund:** \$12,252.63;

**County Agent:** \$26,495.34;

**Weed Control:** \$109,321.01;

**9-1-1:** \$34,964.87;

**SW Victim Witness Program:** \$8,174.40;

**Hazardous Chemical Prep:** \$180.00;

**Preservation Fund:** \$2,296.73;

**State Reimbursements:** \$150.00;

**Siren Contingency:** \$2,581.00;

**24/7 Fund:** \$5,631.82;

**Other Reimbursements:** \$4,417.12;

**Judgment Execution:** \$2,167.26;

**BCI – Task Force:** \$6,512.63;

**911 Equipment:** \$4,197.72;

**Sheriff Oestreich**

Sheriff Oestreich provided his monthly report which included the following:

- 938 calls for service were reported with 354 additional courtroom security hours.
- 146 criminal papers were received, 122 were served, and 11 were DNF/Returned;
- There were a total of 182.25 hours of overtime at a cost of \$6,408.58;
- The arrest tally included 97 stops, 11 accidents, 39 citations, and 9 warnings for a total of 59;
- The Sheriff Sales and foreclosures received 8 executions, 0 Sheriff Sale, and revenue of \$85.00;
- The truck reg. program had a total of 14 stops with a total of \$32,705.00 in fines;
- 125 civil papers were received and 101 were served;
- Transports included 0 for other counties, 14 criminal, 15 daily court, 1 medical, 13 mental health, and 1 juvenile;
- The monthly income included \$2,140.50 for civil, \$55,176.84 for truck reg, and \$0.00 for fingerprints. 24/7 had expenditures of \$1,872.71.

It was requested that the truck reg officer attend the next meeting due to a protest of overweight fees.

**Road Superintendent - Al Heiser**

Mr. Heiser provided his monthly report to include graveling south of Richardton and then moving to Lefor and Scheffield. Mr. Heiser will be getting rid of some equipment during the next Stark County auction and is requesting the sale of surplus property.

**MOTION BY:** Commissioner Hoff                    **SECOND BY:** Commissioner Kuntz  
To allow for the sale of the surplus property as presented.  
**DISPOSITION:** Motion carried

Mr. Heiser is requesting out-of-state travel for the road conference in Rapid City, South Dakota.

**MOTION BY:** Commissioner Zander                    **SECOND BY:** Commissioner Hoff  
To authorize the out-of-state travel request as presented.  
**DISPOSITION:** Roll call vote. All voted aye. Motion carried

It was advised the developer of the Norwegian Creek subdivision is responsible for the maintenance of the roads however they are no longer around. Mr. Henning will check to see if the county can maintain and bill back the developer.

**Set Date for 2<sup>nd</sup> Meeting in December**

Ms. Haag presented Thursday, December 27<sup>th</sup> for the 2018 budget amendment commissioner meeting.

**MOTION BY:** Commissioner Zander                    **SECOND BY:** Commissioner Hoff  
To schedule the special commission meeting on Thursday, December 27<sup>th</sup> at 8:00am.  
**DISPOSITION:** Motion carried

**Delegate Community Action – Dean Franchuk**

**MOTION BY:** Commissioner Zander                    **SECOND BY:** Commissioner Kuntz  
To reappoint Commissioner Franchuk to the Community Action board as presented.  
**DISPOSITION:** Motion carried

**Zoning**

RZ 04-18 – Robert Lawrence is requesting a rezoning from Agriculture to the Agricultural Residential zoning district on a property located in the N ½ of the N ½ of the NE ¼ of the NE ¼ of Section 35, Township 140, Range 95 containing approximately 10 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:** Motion carried

**County Engineer – Justin Hyndman**

Mr. Hyndman provided the following monthly report:

- Green River Bridge Structure 45-123-3.0 Replacement – Swingen, 2018 Construction with a completion of October 5, 2018;
- 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 – Shep’s Welding. Completion of October 19<sup>th</sup>, 2018;
- 35<sup>th</sup> Street SW Green River Bridge Low Water Crossing – Martin, 2018 Construction with a completion of October 19<sup>th</sup>, 2018;
- 119<sup>th</sup> 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;
- 112<sup>th</sup> Ave SW (30<sup>th</sup> to 32<sup>nd</sup>) – Reports submitted.

### **Social Service Building CMAR**

Commissioner Zander advised they completed interviews last week for the Construction Manager at Risk (CMAR) for the social services, sunrise youth bureau, and extension services building project. 3 candidates were interviewed and Scull Construction is being recommended for award.

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

To proceed with the CMAR contract with Scull Construction.

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

### **JLG Contract**

The contract was sent over from Stark County with proposed changes and waiting review.

### **Jeremy Wood**

CBP-0045(16)05 99<sup>TH</sup> Ave SW Box Culvert southeast of Lefor – The bid opening was held December 5, 2017 with Martin Construction the low bidder at \$212,822.00. Construction is expected to be completed within a couple of weeks.

CBP-0045(15)02 and CBP-0045(15)03 47<sup>th</sup> St SW Box Culverts southwest of Richardton – The bid opening was held May 1, 2018 with Edward H Schwartz Construction the low bidder at \$421,624.00. Construction has begun and the installation of the east box culvert was completed on September 24<sup>th</sup>. The west box culvert installation is tentatively scheduled for Thursday October 4<sup>th</sup>. Construction is expected to be completed within a couple of weeks. We have recommended pay estimate #1 in the amount of \$182,490.86.

34<sup>th</sup> Street (between ND 22 and 113<sup>th</sup> Ave.) – Hlebechuk Construction has begun regarding the west mile of the project. County forces will help with the gravel hauling. Construction is expected to be complete in a couple of weeks.

34<sup>th</sup> Street (between ND 22 and 113<sup>th</sup> Ave.) – The project consists of minor grading, graveling, and paving. This project is a joint project between Stark County and the City of Dickinson. We plan on bidding the project as two separate projects – one grading and one paving project. The east mile grading and paving portion would be bid later in the year for 2019 construction.

30<sup>th</sup> Street SW (from ND 22 East 3.1 Miles) – We have the survey complete and the design is approximately 80% complete. We are hoping to be able to obtain easements and bid the project by the end of the year. This three mile section of road is a joint project between Stark and Dunn Counties and planned for 2019 construction.

Hydrology Study and 404 Permit Application – We have completed a hydrology study and 404 permit application for an existing bridge located on 84<sup>th</sup> Ave SW northeast of

Richardton. The Army Corps of Engineers has approved the application and granted a permit so construction can begin.

### **Adopt Budget**

Ms. Haag presented the 2019 Stark County budget and highlighted changes from the previous meeting.

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

To adopt the 2019 budget as presented.

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

### **Park Board**

A request was made to provide \$30,000 towards the Taylor project.

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

To approve the request for \$30,000 towards the Taylor Opera House project to be taken out of the special road and bridge fund.

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

### **Alfredo Herreman – Approach obstruction**

Jeremy Wood provided an overview of the clear zone distance.

Mr. Herreman stated he is going to move the obstruction however is requesting additional time.

Mr. Henning advised he sent an advisory letter and final notice of removal.

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

To extend Mr. Herreman's request and provide an additional 30 days until October 30<sup>th</sup>, 2018 to address the wall within the clear zone.

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

### **Other**

Shari Buck introduced herself as the Western Regional Director for Senator Hoeven's office and provided her contact information.

The following Miscellaneous Receipts were filed: General: \$391,210.87; 10 Mill: \$31,625.57; County Road: \$318,242.14; Highway Distribution: \$295,098.25; Special Road & Bridge: \$9,501.64; Social Services: \$1,062.84; Capital Improvement: \$454,553.66; County Jail: \$24,126.72; Emergency Fund: \$3,167.21; Veterans Service Officer: \$4,191.80; County Agent: \$7,359.12; Weed Control: \$5,496.05; E-911 Funds: \$26,624.53; Adult Education: \$170.93; Fingerprint Station: \$174.00; Estimate Tax Revenue: \$969.33; Security Reimb: \$140.60; Victim Witness: \$25,203.71; Preservation Fee: \$1,350.00; State Reimb: \$531.38; 24/7 Fund: \$8,275.00; Other Reimbursements: \$2,691.28; Judgment Execution: \$2,160.59; 911 Equipment: \$6,677.18;

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

To adjourn the meeting.

**DISPOSITION:** Motion carried