

## Official Proceedings

September 6, 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. Comm. Kuntz added Surplus Equipment. Comm. Elkin moved to approve the agenda with the additions. Comm. Kuntz seconded. All voted Aye and the motion carried.

Comm. Wolf moved to approve the minutes from the August 2, 2011 meeting. Comm. Hoff 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:** Payroll: 137,220.93; Institute of Local Govt: \$60.00; Rockhurst University: \$199.00; Advanced Vision Center: \$140.00; SBAND: \$255.00; West Payment Center: \$632.15; Dakota Water Treatment: \$36.50; Matthew Bender: \$59.46; SBM Inc: \$3,248.11; Kathy Schwab: \$47.76; Raedeem Weinberger: \$38.76; PFC Products Inc: \$262.95; Xerox Corporation: \$492.71; Comfort Inn: \$390.00; Allan's Decorating: \$298.00; Honeywell International: \$2,704.00; A-1 Sprinklers: \$83.00; Affordable Tree Service: \$150.00; Braun Distributing: \$214.57; DJ's Tesoro: \$95.61; Ecolab: \$1,071.38; Ecolab Pest Elimination: \$150.00; ETSystems Inc: \$59.50; Newby's Ace Hardware: \$114.67; Nitro-Green: \$265.00; Rudy's Lock & Key: \$44.00; Western Fire & Safety: \$15.00; City of Dickinson: \$9,351.02; MDU: \$2,494.25; Walmart: \$259.24; Election Systems Inc: \$2,849.86; Secretary of State: \$8,172.82; NDPers: \$15,541.55; Greenwood & Ramsey: \$207.38; Maus & Nordsven: \$681.00; Melbye Law Office: \$285.00; Farmers Union Oil Bis/Man: \$3,148.41; Fleet Services: \$4,139.50; Maintenance Management: \$270.00; Consolidated: \$314.79; Century Link: \$487.00; AT& T Mobility: \$488.78; Office Max Inc: 120.14; Unlimited Office Supplies: \$178.58; Dickinson Parks & Rec: \$66.56; ND Assoc of Oil Producing Counties: \$110.00; T-Rex Conoco Inc: \$199.59; Radison Hotel Bismarck: \$674.40; Visa: \$791.33; Post Board: \$45.00; Great Plains Clinic: \$161.00; ND Surplus Property: \$9.00; Service Printers: \$187.60; Advanced Business Methods: \$86.47; Big K-Mart: \$13.99; Logo Magic Inc: \$38.00; Superior Cleaners: \$34.00; Uniform Center: \$17.98; Wanner Western Wear: \$226.60; Charbonneau Car Center: \$181.00; Dickinson Tire: \$754.56; Electronic Communications: \$5,819.50; Legend Auto Body: \$500.00; O'Reilly Auto Parts: \$10.33; Parkway Ford Sales: \$392.50; Saego Electric: \$75.00; Sax Motor Co: \$140.94; Sure Sign: \$380.00; Farmers Union of Richardton: \$327.50; Runnings Supply: \$19.93; Dickinson Ambulance Service: \$124.00; Galls An Aramark: \$358.06; Light & Siren: \$2,381.74; Southwest Wireless: \$14.99; ESP Computers: \$390.00; LEC Maintenance: \$10,316.56; Stevenson Funeral Home: \$200.00; Dennis E Wolf MD: \$3,525.00; Stark County Auditor (Federal Deposit): \$454.06; Kadrmas Lee & Jackson: \$2,165.86;

Hewlett-Packard: \$471.38; ND Assoc of Oil Producing Counties: \$4,000.00; Dickinson Press: \$65.80; Roosevelt-Custer Regional Council: \$2,136.00;

**10 Mill:** Kadrmas, Lee & Jackson: \$30,299.97; Onsite Improvement: \$127,283.00; Ternes Fencing & Bobcat Service: \$3,478.60; Curtis & Cindy Buckman: \$500.00; Randy Schwartz: \$6,000.00;

**County Road:** Kadrmas, Lee & Jackson: \$7,641.05; Northern Improvement: \$1,555,939.34; West River Striping: \$9,750.96; Outback Lumber Supply: \$451.50; Nelson International: \$48,750.00; City of Belfield: \$21.50; City of Dickinson: \$953.48; City of Richardton: \$54.90; Consolidated: \$68.65; MDU: \$273.48; Roughrider Electric: \$608.00; Southwest Water Authority: \$45.48; Century Link: \$52.41; AT & T Mobility: \$76.08; Border States Electric: \$25.01; Carquest Auto Parts: \$96.28; Praxair: \$280.60; Runnings: \$84.69; Tom's Service Center: \$44.00; West Dakota Oil: \$5,185.17; Walmart: \$21.96; Andy's Repair LLC: \$1,257.66; George's Tire Shop: \$3,963.00; NW Tire Inc: \$2,713.17; Prairie Auto Parts: \$32.22; Todd's Auto: \$13.50; Trucks of Bismarck: \$5.99; Western Fire & Safety: \$673.45; Westlie Truck Center: \$67.10; Butler Machinery Inc: \$2,580.33; Dakota Farm Equipment: \$21.37; Kohler Communications: \$211.60; Pump Systems Inc: \$112.69; Ray's Auto Electric: \$369.90; Swanston Equipment: \$251.54; West Plains Inc: \$57.31; Southwest Grain: \$39,145.31; Belfield Automotive Supply: \$23.49; Dakota Filter Supply: \$910.67; Dakota Tool & Supply: \$72.00; Harlen's Radiator: \$15.00; Hedahl's Headquarters: \$48.06; Lenny's Repair: \$13.67; Newby's Ace Hardware: \$59.99; Pump Systems Inc: \$96.45; Lyle Signs Inc: \$179.89; Maintenance Management: \$160.00;

**Highway Tax Distribution:** NDPers: \$16,318.71; Payroll: \$70,599.25;

**Social Welfare:** ND Dept of Human Services: \$399.61; Social Services: \$13,712.65; Payroll: \$153,623.49; NDPers: \$37,397.75; Rimrock Trailways: \$64.00;

**County Poor:** ND Dept of Human Services: \$28,376.08;

**IT – Computer/Updates:** NDACO Resources: \$374.00; Payroll: \$4,723.99; NDPers: \$1,264.00; Stark County Auditor (Federal Deposit): \$361.38; AT&T Mobility: \$67.79; Consolidated: \$158.90; SBM Inc: \$1,087.86; Information Technology Dept: \$1,244.00;

**Capital Improvement:** Denny's Electric: \$19,636.12; Electronic Communications: \$860.00; Great Plains Towers: \$29,500.00; Newby's Ace Hardware: \$62.94; West Dakota Oil: \$325.41; Insulation Supply: \$13,307.60; Central Mechanical: \$16,290.00; Kadrmas Lee & Jackson: \$2,634.37; Tooz Construction: \$88,159.50; Roughrider Electric: \$4,321.39;

**County Park:** Bismarck-Mandan Development Association: \$2,426.20; The Old Red Trail: \$240.00;

**Fair Board:** Stark County Fair Board: \$230.82;

**County Jail:** SWMCCC: \$63,754.78;

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

**VSO Fund:** Payroll: \$5,741.38; Jonathan Publishing: \$110.00;

**Social Security:** Stark County Auditor (Federal Deposit): \$27,205.98;

**Advertising:** Dickinson Press: \$441.58;

**County Agent:** Payroll: \$6,559.62; NDPers: \$364.91; NDACO: \$236.98; NDSU Extension Service: \$143.74; Samantha Roth: \$363.65; Stark Billings County 4-H: \$59.99; Kurt Froelich: \$30.00; Consolidated: \$143.25; SBM Inc: \$707.99;

**Weed Control:** Payroll: \$15,238.09; NDPers: \$2,253.67; Kaye Jessen: \$49.06; AT&T Mobility: \$23.87; Cherry Butte Company: \$150.00; Dickinson Press: \$189.05; Quality Quick Print: \$105.00; NDSU Extension Service: \$64.13; Crop Production: \$58,048.25; Running's Supply: \$587.76; Western Fire & Safety: \$22.00; Walmart: \$8.60; Chad's Automotive: \$395.75; George's Tire Shop: \$30.00; Parkway Ford Sales: \$376.90; Prairie Auto Parts: \$76.85; Pump Systems Inc: \$1,343.86; Ficek Wrecker Service: \$100.00; Steffan Saw & Bike: \$18.99; Stark County Auditor (Federal Deposit): \$188.44;

**9-1-1:** Payroll: \$3,380.02; NDPers: \$1,207.96; Stark County Auditor (Federal Deposit): \$234.65; City of Dickinson: \$7,753.93; Century Link: \$1,614.72; Consolidated: \$557.00; Reservation Telephone: \$80.00; Pitman Company: \$17.60; Rudy's Lock & Key: \$90.80; Visa: \$367.96; Bullberry System: \$3,532.00;

**Adult Education:** SBM Inc: \$1,625.00;

**Domestic Violence:** State Treasurer: \$1,295.00;

**Traf Safety Grant:** Payroll: \$1,629.61;

**Homeland Security 2009:** Electronic Communications: \$19,190.00;

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

**Misc Grants:** ESP Computers: \$8,000.00;

**SW Victim Witness Program:** Consolidated: \$1.90; Payroll: \$4,222.85; NDPers: \$733.15; Stark County Auditor (Federal Deposit): \$307.65; AT&T Mobility: \$63.75;

**DVRCC:** Domestic Violence: \$610.37;

**Preservation Fund:** Cass County Treasurer: \$2,259.00; Information Technology Dept: \$361.80; US Records Midwest: \$8,750.00; Consolidated: \$49.95;

**State Reimbursements:** Kenneth Prentice: \$169.84; Nigel Sims: \$25.00; Tom Grosz: \$25.00;

**Siren Contingency:** Roughrider Electric Cooperative: \$235.00;

**Other Reimbursements:** Action Cleaning: \$3,388.00; Legend Auto Body: \$685.49; Kary Kling: \$20.00; Consolidated: \$182.00; Pharm Chem Inc: \$76.00; 24/7 Reimbursements: \$882.00;

**Judgment Execution:** Dale Keck: \$65.00; Stark County Sheriff's Dept: \$100.00; Dennis Wilson: \$165.00;

**911 Equipment:** Electronic Communications: \$28,670.00; Consolidated: \$52.03;

Comm. Elkin moved to pay Insulation Supply when the work is complete along with a final inspection. Comm. Kuntz seconded. Roll call vote. All voted Aye and the motion carried.

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

Sheriff Clarence Tuhy presented a North Dakota Department of Transportation Seatbelt Grant. Comm. Wolf moved to authorize Chairman Zander to sign the North Dakota Department of Transportation Seatbelt Grant. Comm. Hoff seconded. All voted Aye and the motion carried.

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

Al Heiser, Road Superintendent, requested out-of-state travel for four road employees to attend a Road Conference in Rapid City, South Dakota. Comm. Hoff moved to approve the out-of-state travel. Comm. Elkin seconded. All voted Aye and the motion carried.

Al Heiser, Road Superintendent, discussed publishing a Public Notice in the Dickinson Press and an Ad in the Advertiser for weed cutting guidelines.

Comm. Wolf authorized Chairman Zander to sign a Resolution for Project BRO-0045(048). Comm. Kuntz seconded. All voted Aye and motioned carried.

Comm. Wolf moved to appoint Ron Obridge to a four year term on the Weed Board. Comm. Hoff seconded. All voted Aye and motioned carried.

Comm. Hoff moved to appoint Bob Zent to the Redistricting Board as the Citizen at Large. Comm. Elkin seconded. All voted Aye and the motion carried.

Auditor Kay Haag discussed the City Zoning Representative Appointment, and that they have not yet found anyone who can sit on that board for Stark County.

Comm. Kuntz discussed office equipment that is currently in storage. Comm. Kuntz will check with other Departments if they could utilize any of it. Comm. Wolf moved to declare the office equipment surplus equipment. Comm. Kuntz seconded. All voted Aye and the motion carried.

Deputy Auditor, Lynn Betlaf addressed the Commission about the current billing and service issues with AT&T/Alltel.

Matt Remyse, Dickinson Airport, presented the Dickinson Airport budget and requested funding for 2012 for the new hanger project. The Board of Commissioners will consider the request.

Chairman Hoff presented a recommendation from the Zoning Board to approve Joe Koubas request for a zoning change from Agricultural to Residential/Agricultural. The location being approximately 3.38 acres located in the SE4, Section 18, Township 140, Range 96. Comm. Hoff moved to accept the Zoning Boards recommendation to approve Joe Koubas request for a zoning change from Agricultural to Residential /Agricultural with an additional 42' of right-of-way. Comm. Elkin seconded. All voted Aye and the motion carried.

Comm. Hoff presented a recommendation from the Zoning Board to approve Troy Bargmanns request for a zoning change from Agricultural to Residential Low Density. The location being approximately six one acre lots located in Section 2, Township 139, Range 97. Comm. Elkin moved to accept the Zoning Boards recommendation to approve Troy Bargmanns request for a zoning change from Agricultural to Residential Low Density contingent on a plat map to be known as Bargmann 1<sup>st</sup> Subdivision to be approved by the Zoning Board. Comm. Hoff seconded. All voted Aye and motion carried

Comm. Hoff presented a recommendation from the Zoning Board to approve Dominic J Hecks request for a zoning change from Agricultural to Industrial. The location being 14.82 acres located in the SW4NW4 Section 5, Township 140, Range 99. Comm. Hoff moved to accept the Zoning Boards recommendation to approve Dominic J Hecks request for a zoning change from Agricultural to Industrial. Comm. Kuntz seconded. All voted Aye, Jay Elkin voted Nay, and the motion carried.

Comm. Hoff presented a recommendation from the Zoning Board to approve Fisher Sand & Gravel Co.'s request for a Conditional Use permit for construction workforce housing. The location being in the W2NW4 Section 22, Township 140, Range 95. Comm. Hoff moved to accept the Zoning Boards recommendation to approve Fisher Sand & Gravel Co.'s Conditional Use permit for construction workforce housing until December 7, 2011 and must follow the following conditions:

1. Provide adequate parking for any and all crew housing facility residents.
2. Provide for adequate fire suppression.
3. Provide for adequate access to emergency vehicles and each dwelling marked with reflective type numbers.
4. Meet all design standards required by any building code and fire code.
5. Comply with waste water rules with Southwest District Health.
6. Any fees on these conditions will be paid by the applicant.
7. There will be a \$100 fee per dwelling.

Comm. Elkin seconded. All voted Aye and motion carried.

Comm. Hoff presented a recommendation from the Zoning Board to approve Leroy Hendricksons request for a Conditional Use permit for temporary housing units. The location being in Section 1, Township 139, Range 95. Comm. Elkin moved to accept the Zoning Boards recommendation to approve Leroy Hendricksons Conditional Use permit for temporary housing until October 7, 2011 and must follow the following conditions:

1. Provide adequate parking for any and all crew housing facility residents.
2. Provide for adequate fire suppression.
3. Provide for adequate access to emergency vehicles and each dwelling marked with reflective type numbers.
4. Meet all design standards required by any building code and fire code.
5. Comply with waste water rules with Southwest District Health.
6. Any fees on these conditions will be paid by the applicant.
7. There will be a \$100 fee per dwelling.

Comm. Hoff seconded. All voted Aye and motion carried.

Irene Rhode, Stark County Council on Aging President, thanked the Board for their past support and requested funding for the 2012 budget year. The Board of Commissioners will consider the request.

Kris Fehr, Best Friends Mentoring Program, presented information regarding the Best Friends Mentoring Program and requested funding for the 2012 budget year. The Board of Commissioners will consider the request.

Gary Kostelecky, representing Dickinson Rural Fire, gave updates on their current budget and requested funding for the 2012 budget year. The Board of Commissioners will consider the request.

Floyd Hurt and Chuck Andrus, representing the City of South Heart, discussed a policing contract with the Stark County Sheriff's Department. They were directed to negotiate a contract with Sheriff Clarence Tuhy.

Rod Landblom, Roosevelt-Custer Regional Council, presented an overview of their organization and requested \$31,915 for the 2012 budget year. The Board of Commissioners will consider the request.

Bill Fahlsing, Emergency Manager, discussed the Hazardous Material Trailer and the equipment in it that is not being utilized by Stark County. Comm. Wolf moved to designate Emergency Manager Bill Fahlsing to donate the equipment to the proper entities. Comm. Elkin seconded. All voted Aye and motion carried.

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

Comm. Wolf moved to authorize Chairman Zander to sign the Memorandum of Agreement for the North Dakota Department of Transportation Project BRO-0045(048). Comm. Kuntz seconded. All voted Aye and motion carried.

Comm. Hoff moved to authorize Chairman Zander to sign the Application for Authorization to construct a project within islands and beds of navigable streams and waters, project #1624 from the State Water Commission. Comm. Wolf seconded. All voted Aye and motion carried.

Comm. Elkin moved to authorize Chairman Zander to sign the documents needed for project BRO-0045(048) at the request of Tim Kelly, Kadrmas, Lee & Jackson. Comm. Hoff seconded. All voted Aye and motion carried.

Comm Elkin moved to approve Kadrmas, Lee & Jackson to be the Engineer for project BRO-0045(048). Comm. Kuntz seconded. All voted Aye and the motion carried.

The following **Miscellaneous Receipts** were filed: General: \$219,095.71; County Road: \$1,303,564.09; Highway Tax Distribution: \$190,226.71; Social Services: \$80,948.09; IT-Computer/Updates: \$1,045.65; Capital Improvement: \$142,160.68; County Park: \$33,835.54; Insurance: \$520.00; Social Security: \$1,110.01; County Agent: \$200.00; Weed Control: \$23,983.56; 911 Revenue: \$24,420.43; Adult Education: \$430.04; FingerPrint Station: \$88.00; Asset Forfeiture: \$310.00; Domestic Violence: \$735.00; Traf Safety Grant: \$1,739.47; Homeland Security Grant: \$18,317.00; Estimate Tax: \$12,746.59; Game and Fish: \$17,536.00; SW Victim Witness Program: \$2,300.62; Domestic Violence & Rape Crisis Center: \$610.38; Preservation Fee: \$3,716.00; Other Reimbursements: \$8,428.64; Judgment Execution: \$330.00; 911 Equipment: \$8,462.86;

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

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Kay Haag, Auditor

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Ken Zander, Chairman