

BOARD OF COMMISSIONERS
 DEAN FRANCHUK, Chairman
 NEAL MESSER, Vice-Chair
 BERNIE MARSH
 PAUL CLARYS
 CORY WHITE



AUDITOR
 KAREN RICHARD

DEPUTY AUDITOR
 Lana Jahner

OFFICIAL PROCEEDINGS OF THE STARK COUNTY COMMISSION

December 27, 2023

Chairman Franchuk called the regular meeting of the Stark County Board of Commissioners to order at 9:01 a.m. Commissioners Present: Dean Franchuk, Paul Clarys, Bernie Marsh, Neal Messer, and Cory White. Department Heads Present: Auditor Karen Richard, Lieutenant Eldon Mehrer, Road Superintendent Al Heiser, Emergency Manager Alaynea Decker, Human Resources Joetta Percy, and State’s Attorney Amanda Engelstad.

RATIFY AGENDA

MOTION BY: Commissioner Clarys **SECONDED BY:** Commissioner White

To ratify the agenda as presented.

DISPOSITION: All voted aye. Motion Carried.

ACCOUNTS PAYABLE

Richard states the \$700 County Park bill should be moved to the January 4 meeting and asks as there is no Park board today if the commission would like to pull all County Park bills until the January meeting. Messer agreed to pull the \$700 bill until the January meeting and Richard answered any questions they had on the other County Park bills.

MOTION BY: Commissioner Marsh **SECONDED BY:** Commissioner Messer

To approve the accounts payable as presented less the \$700 County Park bill.

DISPOSITION: Roll call: Commissioners: Marsh - aye, Messer – aye, Clarys - aye, White - aye, Chairman Franchuk – aye. Motion Carried.

AGL LANDSCAPE ARCHITECTS	LAKEVIEW PARK PLAN	\$ 2,800.00
ANASTASIA MILLS	PRGM CMPLT	\$ 167.00
ANDREW STIDHAM	45-2023-CR-00984 AS	\$ 25.00
AP - ADVANCED BUSINESS METHODS	DEC FEES	\$ 2,367.01
AP - AVI SYSTEMS	YOU TUBE REPAIRS	\$ 475.00
AP - BALCO	UNIFORMS	\$ 5,572.29
AP - BIG HORN TIRE	TIRE LABOR	\$ 46.00
AP - BOSS OFFICE PRODUCTS	MARKERS	\$ 872.96
AP - BRAUN DISTRIBUTING	OFFICE SUPPLIES	\$ 1,153.09
AP - CHS SOUTHWEST GRAIN	FUEL	\$ 33,153.12
AP - CONSOLIDATED	PHONE	\$ 27,613.17
AP - GOOSENECK	TRIMMER/SUPPLIES	\$ 814.00
AP - HIGHLANDS ENGINEERING	BRIDGE WORK	\$ 588.00
AP - INFORMATION TECHNOLOGY	AZURE	\$ 8,542.83
AP - JAM PEST CONTROL	DEC SERVICE	\$ 215.00
AP - JUST IN GLASS	15-16	\$ 195.00
AP - KLJ SOLUTIONS	PCN 24132	\$ 4,352.01
AP - KOHLER COMMUNICATIONS	10-33 LABOR	\$ 314.23
AP - LEFTA	SHEILD SUITE SUBSCRIPT	\$ 4,370.86
AP - LEXIPOL	POLICEONE ACADEMY	\$ 10,827.90
AP - LOGO MAGIC	NOTARY STAMP NR	\$ 27.00
AP - NELSON INTERNATIONAL	11-42	\$ 2,883.82
AP - PRO-WEST & ASSOCIATES	ROAD ARC GIS PROGRAM	\$ 15,425.75
AP - QUALITY QUICK PRINT	BOOKS, PENS	\$ 2,164.00
AP - RDO	REPAIRS	\$ 353.42
AP - RUNNINGS	CHARGING CABLES	\$ 56.87
AP - SIGN SOLUTIONS	SIGNS	\$ 2,852.21
AP - SWMCCC	INMATES-COURT FEES	\$ 264,159.41
AP - THOMSON REUTERS	WESTLAW NOV	\$ 1,030.33
AP - WEST DAKOTA OIL	SOLVENT	\$ 657.04
AP - WESTLIES	REPAIRS	\$ 8,391.48

AP - WEX FLEET	FLEET	\$ 11,584.28
AP - WEX HEALTHCARE	FSA NOV	\$ 99.00
AP - ZONAR	IGNITE/FUEL SERVICE	\$ 248.96
ARAMARK	MATS	\$ 319.17
ARMOR INTERACTIVE	STORAGE JAN 2024	\$ 56.00
ASTORIA HOTEL & EVENT CENTER	ENGECRESTON HOTEL	\$ 288.90
AT&T MOBILITY	PHONE	\$ 36.76
BRAVERA BANK DICKINSON	FINAL LEASES	\$ 51.82
BRAVERA INSURANCE	DOG POLICIES	\$ 3,225.00
BUTLER MACHINERY COMPANY	REPAIRS	\$ 1,784.33
CENTURY LINK	PHONE	\$ 277.58
CITY OF DICKINSON	DISPATCHER, UTILITIES	\$ 42,021.56
CITY OF RICHARDTON	NOV UTILITY	\$ 116.80
CORI WALLACE	45-2023-CR-00835	\$ 25.00
DD - BANYAI, BRAD	TRAVEL	\$ 423.90
DD - BLISS, JOLYN	TRAVEL	\$ 188.69
DD - CLIFTON, JESSICA	OUTREACH DEC 2023	\$ 196.50
DD - FROELICH, KURT J	STATE LAND JUDGING	\$ 655.74
DD - KASIAN, KIMBERLY	MILEAGE, MEALS	\$ 241.94
DD - MARSH, BERNIE	COUNTY MTG, BUTLER	\$ 31.00
DD - SCHEITLIN, DYLAN	ALTERATIONS	\$ 120.00
DD - VANDOORN, JAKE	NDACO MEMBER 13-4218	\$ 150.00
DD'S FIX-IT SHOP	DEWALT IMPACT REPAIR	\$ 95.88
DECKER SUPPLY LLC	FOAM/APPLICATOR	\$ 400.00
DEPT OF CORRECTIONS & REHAB	DETENTION CARE GD	\$ 2,564.82
DEPT OF TRANSPORTATION	BRO 0045070 FINAL EST 6	\$ 30,888.81
DIAMOND TRUCK EQUIPMENT	18-13	\$ 84.42
DICKINSON TIRE & AUTO SVC CTR	UNIT 15 FLAT REPAIR	\$ 34.00
DTE INC	REPAIRS	\$ 5,554.00
DURACLEAN CLEANING SERVICE LLC	RRHSCZ CARPETS	\$ 1,622.70
ELECTRONIC COMMUNICATIONS	POWER SUPPLY	\$ 220.00
ETSYSTEMS INC	RTU6 CONTROL REPAIR	\$ 1,533.00
FERGUSON ENTERPRISES INC	BATHROOM REPAIR	\$ 376.13
FLAGS USA LLC	DAK ROOM FLAGS	\$ 725.00
FORUM COMMUNICATIONS COMPANY	273969-1108-1121	\$ 232.38
GUARDIAN FLEET SAFETY	VEHICLE ACCESSORY	\$ 37,210.62
HAUCK SALES & SERVICES	STORAGE RENT	\$ 240.00
HAYNES, MELBYE LAW OFFICES	NOV 7 MH	\$ 656.25
IBS INC.	CLEANER, BITS,TAPE	\$ 611.77
KUBIK, BOGNER, RIDL & SELINGER	SCORIA TITLE REVIEW	\$ 500.00
LANGUAGE LINK	NOV CALLS	\$ 70.90
LAWSON PRODUCTS INC	FITTINGS, TOWELS	\$ 500.24
MAC'S INC	BOLTS, NUTS, WASHERS	\$ 14.68
MARTIN CONSTRUCTION INC	RICHARDTON TEAR DOWN	\$ 9,917.97
MATCO TOOLS	75PC TOOLS	\$ 559.12
MDU	51 3RD ST E	\$ 5,792.78
MENARDS	SUPPLIES	\$ 784.08
MIKE LEGLER	45-2023-CR-01135	\$ 25.00
NAPA DICKINSON	GASKET, HOSE	\$ 62.67
NATIONAL ASSOCIATION OF COUNTIES	2024 DUES	\$ 484.00
NATIONAL SHERIFFS' ASSOCIATION	NSA DUES 2024	\$ 142.00
ND WORKFORCE SAFETY & INSURANCE	ND WSI	\$ 7,172.98
NEWBY'S ACE HARDWARE INC	DRILL BITS	\$ 533.04
OFFICE OF ATTORNEY GENERAL	RB SCRAM NOV	\$ 4,470.00
O'REILLY AUTOMOTIVE INC	HEADLIGHT UNIT 32	\$ 7.99
OTIS ELEVATOR COMPANY	2024 CONTRACT	\$ 3,935.88
PERFORMANCE TRUCK CENTER	11-06	\$ 227.36

PHARM CHEM INC	SWEAT PATCHES NOV	\$ 2,396.80
POST BOARD	POST RENEW	\$ 45.00
PUMP SYSTEMS LLC	HOSE	\$ 80.70
QUEEN CITY UPHOLSTERY INC	11-13	\$ 234.53
RAY'S AUTO ELECTRIC	BREAKER AMPS	\$ 266.45
RICHARD A FULDA	MAGNA	\$ 2,500.00
ROBERT BALTZELL	STORAGE CABINET	\$ 250.00
ROUGH RIDER ELECTRIC COOP INC	UTILITIES	\$ 1,626.26
RUDY'S LOCK & KEY LLC	LOCKS, KEYS	\$ 96.00
SANFORD HEALTH OCCUPATIONAL MEDICINE	DOT EXAM RD, TM	\$ 235.00
SAX CUSTOMS LLC	234587 VIN	\$ 861.00
SHERWIN-WILLIAMS CO	PAINT-SUPPLIES	\$ 57.40
SHRED ND LLC	SHRED DEC	\$ 181.75
SOUTHWEST WATER AUTHORITY	WATER	\$ 140.41
SRF CONSULTING GROUP	SERVICES NOVEMBER	\$ 12,639.29
STONE AG INC	HOSE	\$ 52.00
SUPERIOR WATER TREATMENT	WATER	\$ 45.00
TITAN MACHINERY-DICKINSON	17-05	\$ 121.00
T-REX CONOCO INC	FUEL TRUCK	\$ 87.14
TYLER BUSINESS FORMS	1099/W2 FORMS	\$ 419.84
US POSTAL SERVICE	PHONE	\$ (356.00)
US POSTAL SERVICE	PO BOX 2024 DICKINSON	\$ 356.00
VAL'S SANITATION	DOUBLE PIE/LINE CLEAN	\$ 240.00
VERIZON WIRELESS	SA	\$ 3,006.18
VISA	DEPT SUPPLIES	\$ 377.90
VOICE PRODUCTS SERVICE LLC	ADD NICE TO R10 SYSTEM	\$ 3,043.00
WESTERN DENT	UNIT 4 DOOR REPAIR	\$ 250.00
XEROX CORPORATION	COPIER LEASE	\$ 405.35
GENERAL FUND	PAYROLL	\$ 509,823.52
HIGHWAY TAX DISTRIBUTION	PAYROLL	\$ 181,830.41
VETERAN SERVICES	PAYROLL	\$ 15,799.39
COUNTY AGENT	PAYROLL	\$ 7,453.76
WEED CONTROL	PAYROLL	\$ 11,823.76
E-911	PAYROLL	\$ 5,798.40
VICTIM WITNESS	PAYROLL	\$ 6,954.60
COPS GRANTS	PAYROLL	\$ 3,897.35

STARK COUNTY FAIRGROUNDS & MOTORSPORTS PARK SECURITY GRANT

Decker clarifies the Commission's questions stating these detectors can be used for other uses and places if the fairgrounds and motorsports take priority. The sensitivity can be adjusted and there are programmable cards that will not detect phones and small metal objects. They could also be used to track activity numbers at the events. Mehrer did state that if the Sheriff's department is going to be staffing these, it would be an extra deputy overtime expense. Messer would like a policy about the use of these and who would cover the expense of the sheriff, etc. Decker will reach out to other venues to see how they handle these issues and look at their policies.

MOTION BY: Commissioner Clarys **SECONDED BY:** Commissioner Marsh

To approve the grant request purchase of these detectors with the idea that we will be fully reimbursed through the grant dollars.

DISPOSITION: Roll call: Commissioners: Clarys - aye, Marsh - aye, White - aye, Messer - aye, Chairman Franchuk - aye. Motion Carried.

ALAYNEA DECKER - EVERBRIDGE CONTRACT

Decker provides an overview of Everbridge, our community alerting system and it is used for reverse 911. Landlines are automatically signed up and the public can also sign up for text and email messages. She would like to renew at a 3-year contract - which will take the bill down about \$200.00 a year. It also typically has been going up about \$1,000 a year, so she is hoping to avoid that.

MOTION BY: Commissioner Marsh **SECONDED BY:** Commissioner Clarys

To renew the contract at the 3-year rate.

DISPOSITION: Roll call: Commissioners: Marsh - aye, Clarys - aye, Messer - aye, White - aye, Chairman Franchuk - aye. Motion Carried.

BACK THE BLUE RESOLUTION

Mehrer presented a Back the Blue Resolution for the Commission's approval. In the legislative session, there was a bill called Back the Blue which is a funding mechanism for law enforcement agencies to be used for recruitment and retention of law enforcement personnel. Stark County received \$39,742.00. The resolution will give the Sheriff permission to distribute those funds – no administrative staff will be receiving any of the funds, it will be given to the line level from Corporal down and will include 2 reserve deputies.

MOTION BY: Commissioner Messer **SECONDED BY:** Commissioner White

To approve the Back the Blue resolution and authorize the chair to sign.

DISPOSITION: All voted aye. Motion Carried.

STARK COUNTY JDA (2) BOARD POSITIONS APPROVAL

Franchuk states there are 2 board positions open and 2 names were submitted for approval: John Odermann and Jeff Moore.

MOTION BY: Commissioner Messer **SECONDED BY:** Commissioner White

To appoint John Odermann for the City of Dickinson and Jeff Moore representing the Dickinson Airport Authority to the Stark County JDA with terms to expire December 31, 2026.

DISCUSSION: Marsh asked if there were any other options. Messer states to his knowledge no one else has expressed any interest.

DISPOSITION: All voted aye. Motion Carried.

AUDITOR – 2024 STATE AID DISTRIBUTION

Richard presented the current 2023 state aid distribution payments received and percentages of how they are divided up. She is asking if the commission would like them to remain as is or adjust them at budget time allowing those receiving payments to adjust their 2024 budgets. Messer speaks regarding the road as their revenue stream is a roller coaster and he would like to see a discussion about taking some of the County Road Unorganized and County Road and Bridge and letting it go back into the general fund so that on years that the road's funds aren't doing so well it is kind of a stabilizing fund, so our road services don't drop off in those tough years. Messer suggests we could add a line item, such as a stabilization fund, and we could take a distribution out of it if needed. Richard states you could set up a special road and bridge fund, but we don't want any more special funds without a plan in place for those funds. Messer states we could cap those funds and if we dip into the fund then we could refill it back up. We could expedite some projects that are out there. Heiser believes this would be helpful as we are no longer eligible for Prairie Dog funding. Clarys states it would be nice to have a rainy-day fund, in case we get in a jam for things such as snow removal. Messer suggests for discussion that 60 or 70 percent of the 2 road lines are put into a fund until it hits 2 million dollars then it reverts to the original formula. Richard states that the 25% has already been factored into the road's budgets as revenue and wonders if Heiser is OK with it going into a different fund. Richard suggests they could take a portion from the general 58% and then take a portion from the road funds, so you aren't just taking the entire piece out of his revenue stream for 2024. Messer believes 2024 will be strong for the road and his preference would be to leave the general fund the same and pull 2/3 of the road funds and put it into a special fund and cap it at 2 million dollars. If Heiser would like to pull funds, he would come to the commission to get those funds released. Heiser believes there will be a carryover in the 2023 budget, and they would be ok without those state aid funds.

MOTION BY: Commissioner Messer **SECONDED BY:** Commissioner Clarys

To take 2/3 of the State Aid Distribution payments from accounts 2120 and 2155 and allocate them into a future road department projects fund up to the point that gets capped at 2 million and then would revert to the original formula or whatever is adjusted on an annual basis.

DISCUSSION: Clarys asks do we want to specify what these funds can be used for. Messer states that will be up to the commission and Heiser will bring it to the commission for approval and we don't want to tie our hands on how this could be spent for the road. Richard states these percentages can be changed at any time during the year and should be looked at again before budgeting.

DISPOSITION: Roll call: Commissioners: Messer - aye, Clarys – aye, Marsh - aye, White - aye, Chairman Franchuk – aye. Motion Carried.

AUDITOR – 2023 STATE AUDIT DECISION

Richard states the State Auditor would like to schedule the 2023 audit. She presents the last 3 years of audit costs. The costs have gone down each year and she doesn't believe we will need to have a single audit as we didn't spend \$750,000 in federal funds in 2023. She would like to continue to work with the State Auditor on audits. Messer is challenged with the JDA audit cost and with the state auditor telling us how to inventory gravel. He would like the State Auditor to do the audit again, but the engagement letter can't be a blank check. He believes once we have an acceptable engagement letter, we move forward with them.

MOTION BY: Commissioner Messer **SECONDED BY:** Commissioner Marsh

To have the County Auditor entertain a letter of engagement from the State Auditor's office to do the 2023 audit.

DISPOSITION: All voted aye. Motion Carried.

10:00 AM PUBLIC HEARING REAPPRAISAL OF PARCEL NUMBERS: 41-5010-00000-200 & 41-5010-0000-300

Engelstad states this is for the 2 parcels of land that the commission agreed to move the price point down to \$10.00 each and this is the second hearing, according to statute. And she also asks if the commission would like to abate those taxes if these properties are purchased.

Franchuk opened the public hearing at 10:00 am and asked for public comments 3 times. No comments were received from the public. The hearing closed at 10:01 am.

MOTION BY: Commissioner Messer **SECONDED BY:** Commissioner White

To abate the taxes on the 2 parcels identified.

DISPOSITION: All voted aye. Motion Carried.

RESOLUTION FOR SC-4500(020) ROAD PROJECT

Heiser states this is chip seal from Highway 10 east to Morton County and then out to Taylor at the Interstate. Franchuk advises bid amount is \$1,804,270.81 and Heiser advises the county cost is 20%.

MOTION BY: Commissioner Messer **SECONDED BY:** Commissioner White

To authorize the Chairman to sign the contract for project SC-4500(020).

DISPOSITION: Roll call: Commissioners: Messer - aye, White – aye, Marsh - aye, Clarys - aye, Chairman Franchuk – aye. Motion Carried.

ESTABLISH 2024 STARK COUNTY PRECINCTS

Richard presents a map of the current 8 voting precincts, and they are the same as the precincts used in the 2022 election.

MOTION BY: Commissioner Marsh **SECONDED BY:** Commissioner White

To approve the 2024 Stark County precincts as presented.

DISPOSITION: Roll call: Commissioners: Marsh - aye, White – aye, Clarys - aye, Messer - aye, Chairman Franchuk – aye. Motion Carried.

2024 HOLIDAYS

Franchuk presents the 2024 Holiday schedule and asks if the Commission would like to add July 5th as a holiday, as it falls on a Friday. Marsh states probably not.

MOTION BY: Commissioner Marsh **SECONDED BY:** Commissioner Messer

To approve the holidays as presented for the employees of Stark County.

DISPOSITION: Roll call: Commissioners: Marsh - aye, Messer – aye, Clarys - aye, White - aye, Chairman Franchuk – aye. Motion Carried.

Commissioner Messer made a **MOTION** to adjourn at 10:07 a.m., Commissioner Clarys **SECONDED**, Adjourned.

Karen Richard, Auditor

Dean Franchuk, Chairman