

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 5, 2023

Chairman Franchuk called the regular meeting of the Stark County Board of Commissioners to order at 9:09 a.m. Commissioners Present: Dean Franchuk, Paul Clarys, Bernie Marsh, Neal Messer, and Cory White. Department Heads Present: Auditor Karen Richard, Sheriff Corey Lee, Road Superintendent Al Heiser, Planner Steve Josephson, and State’s Attorney Amanda Engelstad.

MOMENT OF SILENCE WAS HELD IN MEMORY OF SANDY DEICHERT

RATIFY AGENDA

Gladstone Seniors were added.

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

To ratify the agenda as amended.

DISPOSITION: All voted aye. Motion Carried.

MINUTES

Chairman Franchuk called for approval of the minutes from November 7, 2023.

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

To approve the minutes as presented.

DISPOSITION: All voted aye. Motion Carried.

ACCOUNTS PAYABLE

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

To approve the accounts payable.

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

AED EVERYWHERE INC	AED SHIPPING	\$ 15.50
AP - AVI SYSTEMS	YOUTUBE COMM ROOM	\$ 2,255.76
AP - BALCO	UNIFORMS	\$ 685.65
AP - BOSS OFFICE PRODUCTS	OFFICE SUPPLIES/WATER	\$ 1,040.67
AP - BRAUN DISTRIBUTING	PAPER PRODUCTS, WATER	\$ 2,104.62
AP - CENTRAL MECHANICAL	HVAC UPGRADE, PAY EST 9	\$ 204,712.63
AP - CHARBONNEAU CAR CENTER	ADD SUPPLIES	\$ 50.00
AP - CHS SOUTHWEST GRAIN	FUEL	\$ 4,253.60
AP - CLEAN SWEEP	FURNITURE GUARD, WAND	\$ 12.98
AP - GOOSENECK	GRASS BLADES	\$ 30.34
AP - GPM INC	SEALS, GASKET, BEARINGS	\$ 759.36
AP - HEART RIVER CLEANING	OCT CLEANING	\$ 1,000.00
AP - INFORMATION TECHNOLOGY	USERS, STATE ACCESS	\$ 8,514.13
AP - J & J OPERATING LLC	EQUIP REPAIRS	\$ 1,784.41
AP - J LORAE PERFECTION SERVICES	NOV CLEANING	\$ 3,000.00
AP - JAM PEST CONTROL	NOV SERVICE	\$ 215.00
AP - JP STEEL	EQUIP SUPPLIES	\$ 315.16
AP - JUST IN GLASS	UNIT 11 WINDOW	\$ 540.56
AP - KLJ SOLUTIONS	PROJECTS	\$ 5,583.43
AP - KOHLER COMMUNICATIONS	CAR INSTALL	\$ 220.50
AP - LEC	UTILITIES	\$ 21,073.44
AP - LOGO MAGIC	PORTABLE DOG BOWLS	\$ 272.00
AP - NELSON INTERNATIONAL	EQUIP PARTS	\$ 4,498.41
AP - NW TIRE	TIRES	\$ 25,503.44
AP - PITNEY BOWES	RESERVE #40179087	\$ 163.82
AP - PRECISION KIOSK	MONTHLY FEE	\$ 2,700.00
AP - QUALITY QUICK PRINT	NOTEBOOKS, ENVELOPES	\$ 171.00
AP - RDO	EQUIP REPAIRS	\$ 187.41
AP - RUNNINGS	TOOLS, BATTERIES, DOLLY	\$ 1,871.09

AP - SAX MOTOR	2024 CHEV 234570	\$ 49,995.00
AP - SWMCCC	INMATES-OCT/TAXMILL	\$ 317,685.89
AP - THOMSON REUTERS	WESTLAW OCT	\$ 1,761.33
AP - TOTAL SAFETY U.S. INC	FIRE EXT INSPECT	\$ 120.00
AP - TYLER TECHNOLOGIES	PROGRAM FEES	\$ 583.01
AP - WEST DAKOTA OIL	FUEL	\$ 5,192.81
AP - WESTLIES	EQUIP REPAIRS	\$ 9,436.43
AP - WEX FLEET	FLEET & TRANSPORTS	\$ 14,795.48
AP - WEX HEALTHCARE	FSA OCT	\$ 99.00
AP - WHITE CAP	ROADSAVER SEALANT	\$ 3,696.00
AP - ZONAR	GTC PERFORM NOV	\$ 248.96
ARAMARK	MATS	\$ 319.17
ARMOR INTERACTIVE	ARMOR CLOUD	\$ 112.00
ASPHALT SURFACE	ASPHALT 2023 CHIP SEAL	\$ 64,189.78
AT&T MOBILITY	NOV PHONE	\$ 36.76
BEST TECHNOLOGY SYSTEMS INC	CLEAN LEC RANGE	\$ 4,908.00
BLUE 360 MEDIA	ND CRIM/TRAF LAW BOOKS	\$ 477.78
BOESPFLUG TRAILERS & FEED	EQUIP REPAIRS	\$ 34.60
BRAVERA BANK DICKINSON	LOAN FINALS	\$ 76,844.26
BRAVERA INSURANCE	ADD/DEL VEHICLES	\$ 458.00
BRITTON JEWELERS LTD	RETIREMENT CK ROAD	\$ 130.00
BUTLER MACHINERY COMPANY	ASSEMBLY KITS	\$ 8,624.99
CENTRAL SPECIALTIES INC	MILLINGS OFF PROJ I94	\$ 53,824.10
CENTURY LINK	PHONE	\$ 75.86
CITY OF BELFIELD	UTILITY	\$ 56.22
CITY OF DICKINSON	UTIL/DISPATCHERS	\$ 29,678.97
CITY OF DICKINSON ANIMAL SHELTER	BOARDING	\$ 610.00
CITY OF RICHARDTON	UTILITIES	\$ 137.58
CNA SURETY	NOTARY BOND NR	\$ 50.00
COUNTY COMMISSIONERS ASSOC	DUES	\$ 1,725.00
CREATIVE ENERGY	FUEL	\$ 4,363.26
DAKOTA SIGNWERKS	10-33; 10-34	\$ 16.00
DD - CLIFTON, JESSICA	BEACH/CARSON	\$ 281.65
DD - FROELICH, KURT J	MILEAGE	\$ 175.15
DEPT ENVIRONMENTAL QUALITY	BOILER INSPECT CH	\$ 525.00
DEPT OF CORRECTIONS & REHAB	45-2022-CR-00692 JP	\$ 150.00
DIAMOND TRUCK EQUIPMENT	SMART II CABLE	\$ 88.99
DICKINSON TIRE & AUTO SVC CTR	#32 FLAT TIRE	\$ 1,148.00
DUNN COUNTY TREASURER	NOV TRAVEL	\$ 548.75
DURACLEAN CLEANING SERVICE LLC	OLD CH CARPETS	\$ 2,025.00
ETSYSTEMS INC	CAMERAS/DOOR REPAIRS	\$ 605.60
FEDEX	SHIP EVIDENCE	\$ 40.92
FERGUSON ENTERPRISES INC	CH BATH REPAIR	\$ 473.36
FLECK'S FURNITURE & APPLIANCES	LAUNDRY PART	\$ 17.98
FORUM COMMUNICATIONS	AD 261083	\$ 13.96
GUARDIAN FLEET SAFETY	VEH EQUIP INSTALL	\$ 14,452.08
HAUCK SALES & SERVICES	BENCH STORAGE	\$ 480.00
HUTZ'S WELDING	WELDING LABOR	\$ 780.88
JESSE KUBIK	45-2023-CR-00857	\$ 25.00
KIRK ROLL	NOV CALLS	\$ 4,000.00
KOLLING & KOLLING	FG REST ROOM PAY EST 2	\$ 59,892.75
KOMPLEKS ASSESSMENT SOLUTIONS	2024 INDUST ASSESS 4 OF 4	\$ 10,200.00
LARRY'S ALIGNMENT	10-20	\$ 100.00
LAWSON PRODUCTS INC	SHOP SUPPLIES	\$ 387.29
LINDE GAS & EQUIPMENT INC	GRIND/WIRE WHEELS	\$ 426.63
MACKOFF KELLOGG LAW FIRM	LEGAL FEES	\$ 2,472.50

MAC'S INC	BOLTS, BATTERY	\$ 403.27
MDU	UTILITIES	\$ 12,712.70
MENARDS	GRASS SEED, TOOLS	\$ 337.37
MGM RURAL SANITATION LLC	4QTR BELFIELD SRVC	\$ 281.58
MOTOR VEHICLE	VEHICLE REGISTER	\$ 23.00
NACVSO	ANNUAL DUES	\$ 50.00
NAPA DICKINSON	VEHICLE SUPPLIES	\$ 709.97
ND 911 ASSOCIATION	911 DUES SD; BB	\$ 150.00
ND ASSOC OF COUNTY ENGINEERS	NDACE REGISTER	\$ 300.00
ND ASSOCIATION OF COUNTIES	NDACO, COUNTY DUES	\$ 29,388.69
NDWCA	2024 WEED CONFERENCE	\$ 190.00
NEWBY'S ACE HARDWARE INC	BATTERIES, SINK REPAIR	\$ 108.72
NORTHERN IMPROVEMENT CO	FOG SEAL	\$ 1,190.00
NOVA FIRE PROTECTION	CH SPRINKLER INSPECT	\$ 525.00
OFFICE OF ATTORNEY GENERAL	24-7 FEES	\$ 9,998.00
O'REILLY AUTOMOTIVE INC	UNIT 32 WIPER BLADES	\$ 27.46
PHARM CHEM INC	PATCH ANALYSIS	\$ 10,183.74
POST BOARD	7 OFFICER LICENSE RENEW	\$ 315.00
PRAIRIE ENGINEERING	HVAC UPGRADE	\$ 51,121.95
PRAIRIE LUMBER BEACH	107TH FENCE	\$ 11,052.51
RADISSON HOTEL BISMARCK	NDACO CONF NM	\$ 192.60
RDO EQUIPMENT COMPANY	REPAIRS	\$ 465.52
ROUGH RIDER ELECTRIC COOP INC	BLDG & GRND	\$ 1,506.62
RUDY'S LOCK & KEY LLC	KEY CUTS	\$ 18.00
SAFE RESTRAINTS	RESTRAINT SYSTEM/HELMET	\$ 6,058.48
SAX CUSTOMS LLC	VEHICLE EQUIP INSTALL	\$ 2,639.80
SBAND	2024 LICENSE RENEW AE	\$ 380.00
SERVICE PRINTERS	LEGAL SHEETS	\$ 298.05
SHRED ND LLC	NOV SHRED	\$ 53.75
SOUTHWEST WATER AUTHORITY	UTILITY	\$ 133.31
SPARTAN TECHNOLOGIES	SPARTAN DIGITAL TECH	\$ 22,445.00
SRF CONSULTING GROUP	SERVICES END AUG 2023	\$ 13,508.79
SUMMIT FIRE PROTECTION	FIRE ALARMS	\$ 358.00
SUPERIOR WATER TREATMENT	WATER	\$ 45.00
TEAM LAB	ROAD PATCH	\$ 327.50
TECTA AMERICA DAKOTAS	METAL REPLACEMENT	\$ 4,807.00
TENNANT SALES & SERVICE	M20 SCRUBBER	\$ 699.44
THE UPS STORE	SHIP SHIRTS	\$ 17.14
TRANSUNION RISK & ALTERNATIVE	ONLINE INVESTIGATIVE SRVC	\$ 975.00
TY NEWTON FENCING	32ND ST SW FENCE BISHOP	\$ 6,756.00
ULINE	PEGBOARD, WIRE BASKETS	\$ 264.61
US RECORDS MIDWEST LLC	PRESERVATION RECORDS	\$ 5,106.84
VAL'S SANITATION	SERVICED UNIT	\$ 85.00
VERIZON WIRELESS	PHONE	\$ 2,956.93
VISA	DEPT SUPPLIES	\$ 6,211.32
WALMART CAPITAL ONE	RANGE SUPPLIES	\$ 33.71
WEED-BLASTER	CHEMICALS & SPRAYS	\$ 15,402.16
WINN CONSTRUCTION INC	REPAIR SOUTH STEPS	\$ 70,000.00
XEROX CORPORATION	COPIER LEASE	\$ 431.88
COPS GRANTS	PAYROLL	\$ 3,174.46
COUNTY AGENT	PAYROLL	\$ 6,737.42
E-911	PAYROLL	\$ 5,245.80
GENERAL FUND	PAYROLL	\$ 477,459.37
HIGHWAY TAX	PAYROLL	\$ 181,410.01
VETERAN SERVICES	PAYROLL	\$ 14,588.14
VICTIM WITNESS	PAYROLL	\$ 6,710.88
WEED DEPARTMENT	PAYROLL	\$ 10,792.78

COREY LEE – SHERIFF REPORT

Lee presented the November 2023 report to the Commission: • Total calls for service 1448 – up from 1067 last year • Traffic stops 177 – up from 110 last year • 11 theft-related calls – up from 4 last year • 337 PR stops – up from 163 last year • 17 Bar checks – up from 5 last year • 31 calls for K-9 • Truck Reg 3 stops / 23 additional CFS • Transports: 9 Prisoner, 19 Court, 3 Juvenile, 4 Medical, 2 MH, 2 Assist • Responded to 21 accidents: 1 pedestrians, 1 fatality, 4 hit & run, 3 injury, and 12 property • 95 Total Arrests and 66 Warrants served • Civil Division: 131 attempts / 25 Subpoenas / 108 Civil Papers / 23 Criminal Papers.

Lee advises that the Sheriff's administration will adopt an assistive living facility and visit once a month. He reports that the hat and mitten drive was successful, several hundred pieces were collected for needy kids in Stark County. 4 Corporals were promoted last week. They will interview applicants tomorrow for an open position, they received fifteen applicants for one position and will be interviewing 10.

AL HEISER – COUNTY ROAD

Heiser showed a video and provided an overview of a typical morning at the road department. He advises they are putting scoria on maintenance roads and transferring gravel. Heiser talks about the house in Richardton that went back for taxes and that people are taking stuff out of the house and we need to secure that house. Messer advises he would meet Heiser at the property this afternoon to look at it.

ANDREW SCHRANK – HIGHLAND ENGINEERING

- **BRP-0045(074) PCN 23382 Bridge Replacement with a Box Culvert on 80th Ave SW– 15 miles south & 8 miles east of Richardton (HES Project #210449)**

Construction is complete and the roadway has been opened to traffic. The final paperwork is almost complete for submitting.

- **BRJ-0045(076) PCN 23725 Bridge Replacement with a Box Culvert on 83rd Ave SW – 3 miles east & 7 miles north of Richardton (HES Project #210271)**

The project is in the process of being awarded to Baranko Brothers, Inc.

- **BRJ-0045(077) PCN 23737 3 Each Bridge Removal & Replace with Low-Water Crossings (HES Project #220900) on 32nd Street SW – 0.01 miles east of 98th Ave SW 91st Ave SW – 0.22 miles north of 31st St SW 88th Ave SW – 0.34 miles north of 32nd St SW.**

The PS&E review comments were received on 11/21/23. The draft environmental document comments were received on 11/22/23. Final plans, permits, signed certifications, and special provisions are due 12/8/23 for the 2/9/24 bid opening. We are working to finalize these documents and the right-of-way agreements for this project by this date.

JEREMY WOOD – NORTHERN PLAINS ENGINEERING PROJECT REPORT

- **CP-45(22)01 32nd St and 107th Ave Grading northeast of Dickinson**

The paving plans are complete and ready for a bid opening.

- **BRP-0045(072) 131st Ave Bridge Replacements near Belfield**

The DOT has approved HB 1505 funding for this project. One of the bridges is located three miles south and one mile west of Belfield. The other bridge is located one mile north and one mile west of Belfield. The project was bid on January 13th with Edward H Schwartz Construction the low bidder at \$823,364.69. Construction is expected to begin in late October or early November. The project completion date is July 2024.

- **DESIGN PROJECTS: 41 St. SW/109th Ave SW and 114th Ave SW**

Design and easement acquisition efforts are underway in preparation for a January or February bid opening. We are considering combining the projects and bidding on a single project to attract more bidders and achieve lower construction costs. Construction is expected in 2024.

ANDREW KREBS - KLJ

- **HLC-4500(050) PCN 24132 Hwy 10 & 116th Ave SW Roundabout**

KLJ processed the preliminary topo survey data for the project. We are planning to begin working on preliminary layouts this winter. The project is currently programmed for 2027 construction. The goal is to get the project ready to bid sooner so the bid opening can be moved up if funding becomes available.

- **SC-4500(020) PCN 23927 2024 Chip & Fog Seal Hwy 10 East of Dickinson**

Final plans, permits, and certifications have been submitted to the NDDOT. We are working on an addendum to update how the quantities at the beginning of the project are shown. Bid opening is scheduled for December 8, 2023, through the NDDOT with 2024 construction.

PLANNING & ZONING – STEVE JOSEPHSON

Josephson presented amendments to the County Zoning ordinance. They would bring the zoning ordinance in conformance with the century code regarding the definition of a farmer and with permits.

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

To accept the proposed Zoning ordinance amendments as presented.

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

Josephson reports on the comp plan and there should be a hearing coming up within the next couple of months.

BREAK 9:41 a.m. to 9:52 a.m.

GUN RANGE FUNDING REQUEST – ED DICK

Dick addressed the commission regarding a gun range he would like to construct. He is looking to purchase the Dickinson Auto Supply building, and is looking for funding help, he states he could potentially pay the money back. He believes this gun range would be a huge asset to both the city and the county. Marsh advises Stark County Development would be a great resource for him to start. Messer agrees as that is for the private sector.

GLADSTONE SENIORS

Lorraine and Mark Erdmann address the commission, she is the President of the Senior Citizens in Gladstone, regarding the Senior Center in Gladstone. They had sold their building to the city, so both the city and the Seniors could use it. The building did not get winterized, and pipes broke making the building unusable. They purchased the building back from the city in 2021 and put \$35,000 into the building. In June of 2022, the building got shut down as it is not handicap accessible and in July of 2023, the city turned the water off and stated they would no longer pay for the water. There is \$2000 in past utility bills that the Seniors are paying back to the city at \$91.00 a month. They need to also pave the street in front of the building and are looking at approximately \$30,000. Messer states this appears to be a local issue and we can't solve your problem, but our role may be to facilitate your problem. Charles Tuttle also spoke in support of helping put a plan in place to mediate the situation. Richard states the Stark County Senior Citizen board receives money that is available, and they could apply for a grant from them. Heiser states that could put recycled asphalt down on that parking lot. Messer also suggested the Roosevelt Regional Council for help with ADA compliance.

REAPPRAISAL OF PARCEL NUMBERS: 41-5010-00000-200 & 41-5010-0000-300

Engelstad states they are surrounded by property and there is no access to the lots, she suggests these properties be assessed at \$1.00 each and extend a letter to the adjacent property owners to see if they would purchase them as they are landlocked.

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

To establish the value at \$10.00 per parcel.

DISPOSITION: All voted aye. Motion Carried.

TAXES & SPECIALS ABATEMENT FOR PARCEL NUMBER: 46-0003-06234-000

Richard advises this parcel sold at the tax sale for \$5,100.00 and permission is needed to abate the additional taxes and special for \$30,515.26.

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

To abate on 46-0003-06234-000 the amount of \$30,515.26.

DISPOSITION: All voted aye. Motion Carried.

STARK COUNTY FAIRGROUNDS & MOTORSPORTS PARK SECURITY GRANT

Richard provided the information as Decker was not able to attend. Stark County has received a grant to cover walk-through metal detectors at no cost to the county. Messer is concerned there will be issues with people not wanting to use these to enter events and won't be received very well. Englestad states if anything is triggered, they would have to take the item back to their vehicle. The commission is also questioning if they could be used anywhere or just at the fairgrounds and motorsports park.

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

To table the Stark County Fairgrounds & Motorsports Park Security Grant.

DISPOSITION: All voted aye. Motion Carried.

2024 COMMISSION MEETING DATES & TIME

Richard presented a list of potential meeting dates for 2024. Messer asked that the May 7 date be moved to May 9.

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

To approve the dates and times as presented with May 7 going to May 9.

DISPOSITION: All voted aye. Motion Carried.

COUNTY BEER AND LIQUOR LICENSE APPROVAL

Richard presents the beer & liquor licenses she has received to date. She also asked about allowing off-sale at these establishments. Marsh states if they want to pay the additional fee. Messer agrees. She then asks if the commission will approve her to issue the licenses that comply.

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

To authorize the auditor and chair to issue all licenses that are in full compliance with our statute.

DISPOSITION: All voted aye. Motion Carried.

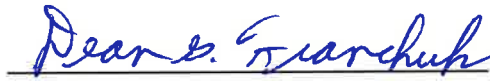
TAX STATEMENT BUDGET INSERT

Richards presents a budget insert to be sent with the tax statements and asks for the commission's approval or if they would like anything changed. Messer and Clarys state that it is great as presented.

Commissioner Messer made a **MOTION** to adjourn at 11:11 a.m., Commissioner Clarys **SECONDED**, Adjourned.



Karen Richard, Auditor



Dean Franchuk, Chairman