

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
 April 2, 2024

Chairman Franchuk called the regular meeting of the Stark County Board of Commissioners to order at 9:12 a.m. Commissioners Present: Dean Franchuk, Paul Clarys, Bernie Marsh, Neal Messer, and Cory White. Department Heads Present: Auditor Karen Richard, Sheriff Corey Lee, Park Director Lisa Heiser, Planning and Zoning Steve Josephson, State's Attorney Amanda Engelstad, Emergency Manager Alayna Decker, Tax Director Natalie Wandler, and Human Resources Joetta Pearcy.

Franchuk asks for approval of the agenda. Marsh adds motion under Park Board commission items.

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

To ratify the agenda as amended.

All voted aye, motion carried.

Franchuk calls for approval of the minutes from February 27, 2024.

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

To approve the minutes as presented.

All voted aye, motion carried.

Franchuk calls for approval of the minutes from March 5, 2024.

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

To approve the minutes as presented.

All voted aye, motion carried.

Discussion was held on the bills presented for payment and Franchuk adds two \$50.00 payments for dog demo in Williston for the Sheriff's Department.

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

To approve the bills presented with the addition.

Roll call, all vote aye, motion carried.

VOUCHER	VENDOR	FOR	AMOUNT
GENERAL FUND			
1116	AED EVERYWHERE	BATTERIES	\$ 80.00
1117	AP - ABM	PRINTERS	\$ 2,474.61
1117	AP - BOSS	OFFICE SUPPLIES	\$ 560.06
1117	AP - BRAUNS	WATER, PAPER PRODUCTS	\$ 1,416.25
1117	AP - CHARBONNEAUS	VEHICLE REPAIRS	\$ 2,791.16
1105	AP - CONSOLIDATED	PHONE SYSTEM	\$ 16,620.07
1117	AP - FERGUSON ENTERPRISES	BOILERS, BATHROOM REPAIR	\$ 619.90
1117	AP - NDITD	STATE IT SERVICES	\$ 8,496.73
1117	AP - JAM PEST CONTROL	MARCH PEST CONTROL	\$ 215.00
1117	AP - JUST IN GLASS	VEHICLE REPAIR	\$ 230.42
1117	AP - LEC	LEC EXPENSES	\$ 22,315.28
1117	AP - LOGO MAGIC	UNIFORMS	\$ 292.00
1102	AP - THOMSON REUTERS	LAW RESEARCH	\$ 897.34
1117	AP - TOTAL SAFETY	EXTINGUISHER RECHARGE	\$ 22.00
1117	AP - TYLER TECHNOLOGIES	ACCT APPLICATIONS	\$ 26,345.26
1117	AP - UTILITY ASSOCIATES	UPS FEE	\$ 7.50
1102	AP - WEX FLEET	TRANSPORT & FLEET	\$ 10,711.70

1117	DD - BALTZELL, SHERRY	ELECTION TRAIN BISMARCK	\$ 134.00
1116	DD - DECKER, ALAYNEA	TUITION REIMBURSEMENT	\$ 1,500.00
1117	DD - ENGELSTAD, AMANDA	JAMESTOWN MTG TRAVEL	\$ 271.35
1117	DD - FRANCHUK, DEAN G	COMMISSION MTG DF	\$ 134.00
1117	DD - JAHNER, LANA	WEED CONTROL TRAINING	\$ 3.62
1117	DD - JAHNER, LANA	ELECTION TRAINING	\$ 278.38
1117	DD - KASIAN, KIMBERLY	PRIA TRAVEL MINOT	\$ 237.18
1117	DD - MARSH, BERNIE	COMM SUMMIT BM	\$ 156.00
1117	DD - RICHARD-GOETSCH, KAREN	ELECTION TRAIN 2024	\$ 250.96
1117	DD - ROBERTS, NICOLE	ELECTION TRAINING	\$ 235.47
1117	DD - WINHOLD, PAMELA K	ELECTION TRAVEL PW	\$ 134.00
1116	EAST END AUTO	TOW 4 WHEELER X 2	\$ 220.00
1116	ETSYSTEMS	DOOR CONTROL REPAIR	\$ 2,273.48
1116	FORUM COMMUNICATIONS	PUBLISHING	\$ 312.36
1116	FOUR SEASONS TROPHIES	NAME PLATE	\$ 14.20
1116	HAYNES, MELBYE LAW	ATTY FEES	\$ 893.75
1116	KIRK ROLL	CORONER	\$ 1,600.00
1116	KUNTZ RV	CAB TOPPER	\$ 2,595.00
1116	LANGUAGE LINK	TRANSLATION	\$ 142.74
1116	LOADOMETER	LENS #53	\$ 57.00
1116	LUCKY'S GAS STATION	CARWASHES	\$ 350.00
1116	MACKOFF KELLOGG LAW	MARCH CONTRACT	\$ 2,000.00
1101	MDU	UTILITIES	\$ 16,389.05
1116	MENARDS	MNTCE SUPPLIES	\$ 310.62
1101	MOTOR VEHICLE	REGISTER VEH	\$ 10.00
1116	NDACO	D&A TESTING/CONFERENCE	\$ 319.76
1116	NDLECA	NDLECA BASIN DOG TRAIN	\$ 100.00
1101	NDPIO	PIO TRAIN	\$ 100.00
1116	NEWBY'S	BATTERIES/BAGS/FERTILIZER	\$ 238.10
1116	POSITIVE CONCEPTS	POLY BAGS	\$ 165.60
1116	QUADIENT POSTAGE	MARCH 21 POSTAGE DEP	\$ 4,500.00
1116	QUALITY QUICK PRINT	BUSINESS CARDS	\$ 44.00
1116	RAY'S AUTO ELECTRIC	BATTERY	\$ 28.99
1103	ROUGH RIDER ELECTRIC	UTILITIES	\$ 154.68
1116	RUDY'S LOCK & KEY	CAM LOCK	\$ 13.00
1116	SHRED ND	SHRED PAPER/DRIVES	\$ 417.50
1101	SWDHU	2024 KIDS FAIR BOOTH	\$ 10.00
1116	SUPERIOR WATER	WATER	\$ 36.00
1116	THE UPS STORE	MAIL EVIDENCE	\$ 86.86
1116	T-REX CONOCO	FUEL	\$ 56.24
1116	ULINE	TRASH CAN	\$ 136.77
1116	UNIFORM CENTER	UNIFORM ALTER	\$ 50.00
1116	US POLICE CANINE ASSOC	MEMBER RENEW	\$ 50.00
1116	VERIZON	PHONE	\$ 2,670.42
1116	VISA	DEPT SUPPLES, TRAVEL	\$ 3,304.05
1116	WALMART	BATTERY, OFFICE SUPPLIES	\$ 335.82
1116	XEROX	COPIER FEB	\$ 414.80
ROAD DEPARTMENT			
1117	AP - BRAUNS	AIR FRESHENERS	\$ 55.56

1101	AP - J & J OPERATING LLC	EQUIP SUPPLIES	\$ 1,678.98
1101	AP - JUST IN GLASS	WINDOW REPAIR	\$ 827.75
1117	AP - KLJ SOLUTIONS	CHIP SEAL/ROUNDAABOUT	\$ 25,327.83
1117	AP - LOGO MAGIC	NAME PLATE	\$ 8.00
1117	AP - NELSON INTERNATIONAL	EQUIP REPAIRS	\$ 7,543.51
1116	AP - NW TIRE	TIRES	\$ 11,294.61
1116	AP - RUNNINGS	T-POSTS/BARBED 2 PT	\$ 6,417.75
1116	AP - TOTAL SAFETY	PPE, FE CHECKS	\$ 1,314.56
1116	AP - WEST DAKOTA OIL	FUEL/PROPANE	\$ 23,138.15
1116	AP - WESTLIES	EQUIP REPAIRS	\$ 5,854.06
1116	AP - ZONAR	VEH TRACKING	\$ 248.96
1117	ARAMARK	MATS	\$ 210.34
1117	AT&T	UTILITIES	\$ 36.78
1116	B&C SANITATION	DBL MUD PIT CLEAN	\$ 240.00
1116	BUTLER	EQUIP REPAIRS	\$ 13,804.58
1117	CARQUEST	VEH PARTS	\$ 14.89
1117	CITY OF BELFIELD	BELFIELD UTIL	\$ 28.11
1117	CITY OF DICKINSON	52 W 30TH AVE	\$ 1,123.29
1117	CITY OF RICHARDTON	UTILITIES	\$ 96.02
1117	DD - HERAUF, PAUL A	DOT PHYSICAL	\$ 100.00
1117	DD - LACHER, ROSS	REIMBURSE ENTRY KNOBS	\$ 22.32
1116	DD - MESSER, CHAD	DOT PHYSICAL CM	\$ 100.00
1116	DD - SCHMIDT, ROBERT	DOT PHYSICAL	\$ 100.00
1116	DIAMOND TRUCK EQUIP	EQUIP REPAIRS	\$ 3,014.06
1116	EAST END AUTO	EQUIP REPAIRS	\$ 605.00
1116	HOLIDAY INN FARGO	NDACE HOTEL	\$ 577.80
1116	HUTZ'S WELDING	EQUIP REPAIRS	\$ 112.81
1116	IBS	RIVETS, CLIPS, DISCS	\$ 287.22
1116	LAWSON PRODUCTS	HOSE, FITTINGS, CLEANERS	\$ 797.18
1117	LINDE GAS	ACETYLENE	\$ 141.99
1116	MARTIN CONSTRUCTION	TREE MULCHING	\$ 12,507.59
1116	MATCO TOOLS	THERMOMETER	\$ 103.50
1116	MDU	UTILITIES	\$ 1,137.44
1116	MENARDS	CLEAN SUPPLIES, TRAPS	\$ 239.37
1116	MIDSTATES EQUIPMENT	PCR25 ROUTER BITS/PINS	\$ 1,086.95
1117	NAPA DICKINSON	VEH PARTS/SUPPLIES	\$ 1,025.29
1117	O'REILLY	VEH PARTS	\$ 242.48
1116	PATHFINDER	RED BAND TUBING	\$ 3,600.00
1117	RDO EQUIPMENT	SPRAY PAINT	\$ 2,956.46
1117	ROUGH RIDER ELECTRIC	UTILITIES	\$ 1,572.00
1117	SAX CUSTOMS	VEH PARTS	\$ 1,130.00
1117	SOUTHWEST WATER	UTILITIES	\$ 156.58
1117	USPS	2024 POSTAL BOX	\$ 100.00
1116	VISA	WATER PERMITS	\$ 1,125.00
CAPITAL IMPROVEMENT			
1116	PRAIRIE ENGINEERING	HVAC UPGRADE 2023	\$ 17,801.55
COUNTY PARK			
1116	KOLLING & KOLLING	FG RR PAY EST 6 2024	\$ 55,176.00
COUNTY JAIL			
1117			

1105	AP - PITNEY BOWES	PRINTER RENT	\$ 179.58
1117	DD - FROELICH, KURT J	WATFORD, BEACH, BELF, FARGO	\$ 389.54
1118	VISA	HOTEL	\$ 362.18
WEED CONTROL			
1116	AP - AGTERRA TECHNOLOGIES	LICENCES	\$ 1,800.00
1117	AP - BOSS OFFICE	LAMINATE POUCHES/USB	\$ 69.97
1117	AP - BRAUNS	OFC SUPPLIES	\$ 20.38
1117	QUALITY QUICK PRINT	SEC ENVELOPES	\$ 119.00
1116	SURE SIGN	REFLECT SIGN	\$ 149.10
1117	VERIZON	TABLETS	\$ 160.04
1116	VISA	GOOGLE	\$ 26.47
DISPATCHERS			
1116	CITY OF DICKINSON	DISPATCH FEB	\$ 14,246.92
VICTIM WITNESS			
1105	AP - CONSOLIDATED	VW PHONE	\$ 21.32
1116	VERIZON	VW PHONE	\$ 87.01
HAZARDOUS CHEMICALS			
1116	GLADSTONE FIRE	THERMAL CAMERA/CHRG	\$ 4,045.00
GRANT PROGRAM			
1116	SRF CONSULTING GROUP	COMP PLAN END FEB 24	\$ 6,194.03
SIREN CONTINGENCY			
1103	ROUGH RIDER ELECTRIC	UTILITIES	\$ 409.35
24-7 PROGRAM			
1102	AP - PRECISION KIOSK	MARCH RENT	\$ 1,350.00
1117	AP - TOTAL SAFETY	PPE	\$ 482.00
1116	PHARM CHEM INC	PATCHES FEB	\$ 2,696.40
1116	VERIZON	PHONE	\$ 42.00
911 EQUIPMENT			
1105	AP - CONSOLIDATED	DISPATCH/PHONE	\$ 5,821.32
1091	AP - MOTOROLA SOLUTIONS	2024 SERVICE AGREEMENT	\$ 23,037.00
1116	PENGUIN MANAGEMENT	EDISPATCHES	\$ 2,880.00
1116	VISA	1TB DRIVE	\$ 94.99
ARPA			
1117	AP - CIVICPLUS	MONSIDO STANDARD	\$ 4,200.00

Franchuk calls for the motion regarding the Event Complex under Park Board Commission items.

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

To approve \$1.5 million over 5 years, \$300,000 a year, to come out of the General Fund.

Roll call, all vote aye, motion carried.

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

To authorize the Chairman to sign the National County Government Month for April Proclamation.

All voted aye, motion carried.

Franchuk acknowledges Myron Schank and Chad Stoltz for 10 years of service to Stark County and Megan Wenisch for 5 years of service.

Lee presented the March 2024 Sheriff report to the Commission: • Total calls for service 1567 – down from 1654 last year • Traffic stops 241 – up from 206 last year • 6 theft-related calls – down from 10 last year • 397 PR stops – up from 389 last year • 25 Bar checks – up from 22 last year • 23 calls for K-9 • Truck Reg 6 stops / 28 additional CFS • Transports: 13 Prisoner, 15 Court, 1 Juvenile, 1 Medical, 3 MH,

Messer reports that at the last meeting, they adopted changing a portion of Hwy 10 east of town to 45 mph and there has been a lot of concern over this, so he would like to reopen the discussion. He would like to see the speed limit change sign that is currently east of the Ridgeview subdivision the notice of upcoming change sign and at 107th have a speed reduction. After discussion, Heiser will move the 45-mph sign going west to 107th.

Heiser states the grading project on 107th and 114th will be starting and there are 26 residents in those 3 miles, he will need to pay those residents for temporary construction easements.

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

To approve the temporary construction easements and authorize the payment.

Roll call, all vote aye, motion carried.

Heiser reports that the road department is finishing up on chip sealing the roads, hauling scoria, and will soon start blading roads. He also reports an RFP (BRJ-0045(076)) was done and a resolution will be needed for Highlands Engineering on a box culvert north of Richardton. He is also waiting for a decision on the 107th bypass funding and would like authorization to do half of the project if funding is not received but will let Jeremy from Northern Plains explain the process when he speaks.

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

To authorize the Chairman to sign BRJ-0045(076) awarded to Highlands Engineering.

All voted aye, motion carried.

Andrew Schrank with Highlands Engineering spoke on the box culvert near Richardton and that it should start mid to late August with completion in late October.

Jeremy Wood with Northern Plains provided the following updates: BRP-0045(072) bridge replacement on 131st near Belfield had a pre-construction meeting on March 27th and Schwartz Construction intends on starting in mid-April. Design projects 41 St S, 109th Ave SW, and 114th Ave.SW have a preconstruction meeting scheduled for April 4th.

Wood also discussed the bypass paving on 32nd and 107th and that if only a portion of the funding comes in, maybe an alternative of 3 to 6 miles of the project is bid instead of the full project. He would like to see the level of funding before laying out different funding options.

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

To prepare 3 alternate bids so the project is moving forward.

All voted aye, motion carried.

Andrew Krebs with KLU provided an update on the Hwy 10 & 116th Roundabout and they are currently working on the preliminary grading and design. The Hwy 10 East chip seal project is looking at starting around mid-July or early August. Krebs presented an engineering scope of services for that project for approval.

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

To approve the scope of services.

All voted aye, motion carried.

NDSU Extension Agent Froehlich requested out-of-state travel to take youth to the national land judging contest in Oklahoma leaving on April 28th. The funds have been raised and there is no expense to the county.

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

To approve the out-of-state travel.

All voted aye, motion carried.

Engelstad asked those who had previously met with DSU to discuss their meetings. Franchuk discussed his meeting regarding the 4-H donor and the options for the new rodeo arena. Marsh reports he visited about existing plans as he felt he needed a broader vision. Messer reports he is active with the University and typically is involved and met regarding the building and updates. He had 3 or 4 conversations that were just for information purposes only.

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

To accept the recommendation of the Tax Assessor and abate the 2023 taxes.
Roll call, all vote aye, motion carried.

Wandler also presented an Application for Abatement on parcel 42-0012-02414 in Richardton. The Richardton City Board did approve this application. Bill Pladson, owner of Transportation Logistics provided a history of the purchase and the current uses of this business. Messer advised that he has spoken to both the Richardton School Board and the City as they both are large players in this, and both find it acceptable.

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

To accept the recommendation of the City of Richardton to adjust the 2023 assessed value to \$6.4 million.
Roll call, all vote aye, motion carried.

Break 10:09 a.m. to 10:20 a.m.

Steve Easton, Dickinson State University President addressed the commission regarding an indoor Ag Building / Arena Project and requested funding from the county of \$2 million. Easton provided an overview of their project and funding. The legislature appropriated \$17.1 million towards the \$18 million project. DSU is looking at 2 options: \$18 million or \$25 million. At \$25 million the entire building would be enclosed vs the \$18 million which would have some exterior pens. Both would be sufficient to host rodeo events. Messer questioned the scheduling concept. Easton responds that schedules would need to be coordinated months in advance. If a MOU is in place with the county, the entitlement would be based on the contribution. Easton states they will make the same request of the City of Dickinson today. Marsh is concerned with public access, and it is difficult for the public to use the current building. Easton says that he believes there are significant hours during the week and summer months when DSU is unlikely to have substantial use of the building. Easton also advises this is not a long-term boarding place for DSU student horses and that rodeo participants would need to find someplace else to house the animals overnight.

Josh Sluzacek, City of Dickinson Engineering & Community Development, presented the Renaissance Zone Renewal Extension. This offers a freeze of the current property tax level, not a vacation of taxes. This has been presented to DPS and they have signed a letter of support. Josephson advises the number of blocks in our Renaissance zone is currently at its max, but those blocks could be rearranged.

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

To sign a letter of support.
All voted aye, motion carried.

Josephson presented RZ02-24 Justin Haag requesting rezoning from A to AR on a property located in Section 5, Township 140 North, Range 95 West containing approximately 28.515 acres. If approved the applicant plans to build a single-family residence.

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

To approve the application for Justin Haag RZ02-24 rezoning a parcel of land in Section 5, Township 140N, Range 95W from A to AR.
Roll call, all vote aye, motion carried.

Josephson also presented MSP01-24 Justin Haag requesting approval of a minor subdivision plat of the Russian Spring Creek Subdivision on property located in Section 5, Township 140 North, Range 95 West containing approximately 28.515 acres.

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

To approve MSP01-24 application of Justin Haag creating Russian Spring Creek Subdivision containing Tract 1 and part of Government Lots 2 & 7 in Section 5, Township 140N, Range 95W.
Roll call, all vote aye, motion carried.

Franchuk calls for a motion to sign the lease for the Motor Grader Lease for the Speedway.

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

To authorize the Chair to sign the lease.
All voted aye, motion carried.

All voted aye, motion carried.

Pearcy requested out-of-state travel June 3-5 to Denver Co. for an HR conference, and it has not been budgeted for. She also requests out-of-state travel to the national SHRM conference in Chicago IL in June, which has been budgeted for. Messer suggests she pick one of the conferences to attend. Pearcy states she would choose to attend the national SHRM conference.

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

To approve out-of-state travel for the Chicago conference on June 22nd.

All voted aye, motion carried.

Richard presents a Special Event Alcohol Permit at the Speedway for the Esquire, 8 events over the summer at \$25.00 per event.

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

To approve the Special Event Alcohol Permit of \$200.00 for the Speedway.

All voted aye (Marsh abstained), motion carried.

Clarys discusses an oil company may be regarding drilling some wells and would like to use the public right of way to build roads and he is wondering how much input the county should have in the building of those roads. The roads aren't built to spec and then someone builds a house and then they expect the county to maintain the road, and they aren't wide enough. White states those are lease roads and the county doesn't maintain those. Heiser would like to see it wide enough if 2 people meet there is room to pass and ditches are enough to make the drainage. Messer believes we should give Heiser discretion to handle these situations and be consistent.

Gonzalo Franco Jr. addressed the commission as he is concerned about this safety in Stark County and would like his rights back so he can't get a job. He also asks the commission for a grant to build a business. Messer suggests he start with Stark Development.

Carla Arthaud comments that when the donation to the DSU Softball diamonds was given it was contingent on a JPA being written that all the small schools in Stark County would have use of those diamonds. She states one of the small schools was denied use. Engelstad states a JPA was not written, as she was not contacted by anyone from DSU. Messer agrees that if it is available those schools would get to use it, and he has seen a small school using one of the diamonds. Franchuk believes one of the schools wasn't denied use, the fee was too high. Arthaud states that the understanding was that with the JPA there would be no fee, as those were taxpayer funds. Franchuk believes there is a maintenance fee. Engelstad will reach out to DSU.

Commissioner Messer made a **MOTION** to adjourn at 11:47 a.m., Commissioner White **SECONDED**, Adjourned.



Karen Richard, Auditor



Dean Franchuk, Chairman