

BOARD OF COMMISSIONERS
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OFFICIAL PROCEEDINGS OF THE STARK COUNTY COMMISSION

August 6, 2024

Chairman Franchuk called the regular meeting of the Stark County Board of Commissioners to order at 9:00 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, State's Attorney Amanda Engelstad, Emergency Manager Alaynea Decker, Tax Director Natalie Wandler, and Human Resources Joetta Pearcy.

Franchuk calls for approval of the agenda. Franchuk adds the 8-20-24 meeting cancellation and unorganized township mileage approval.

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

To ratify the agenda as amended.

All voted aye, motion carried.

Franchuk calls for approval of the minutes from July 2, 2024. Messer adds correction on the motion to approve the Bravera list of assets, as he is listed as both the motion and the second.

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

To approve the minutes as corrected.

All voted aye, motion carried.

Franchuk calls for approval of the minutes from July 8, 2024

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

To approve the minutes as presented.

All voted aye, motion carried.

Franchuk calls for any questions about Accounts Payable. Messer asks if the Fairgrounds Special Projects fund bills should be tabled, as there was no Park Board meeting and approval this morning. Franchuk feels they should be approved by the Park Board first.

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

Approval of the Accounts Payable as submitted minus the Fairgrounds Special Project fund invoices.

Roll call, all vote aye, motion carried.

No park board items to discuss.

Lee presented the July 2024 Sheriff report to the Commission: • Total calls for service 1665 – down from 1714 last year • Traffic stops 199 – up from 188 last year • 10 theft-related calls – up from 9 last year • 373 PR stops – down from 382 last year • 23 calls for K-9 • Truck Reg 7 stops / 25 additional CFS • Transports: 14 Prisoner, 12 Court, 1 Juvenile, 0 Medical, 4 MH • Responded to 18 accidents: 0 pedestrians, 0 fatality, 2 hit & run, 2 injury, and 14 property • 99 Total Arrests and 64 Warrants served • Civil Division: 211 attempts / 38 Subpoenas / 129 Civil Papers / 19 Criminal Papers.

Lee thanked the agencies that helped with the house fire south of South Heart. He advises the Sheriff's Department assisted with the Enterprise Ave murder and the Ward County murder trial recently held in Stark County.

Lee requests out-of-state travel for Dave Klatt to go to Kansas City to attend a seminar for Canine Supervisors.

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

To approve out-of-state travel for Deputy Klatt.

All voted aye, motion carried.

Lee states he and Engelstad are working on the Belfield and Gladstone contracts, and he is looking for approval for Franchuk to sign when complete. Franchuk asks about the date correction on the Richardton contract.

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

To authorize the Chairman to sign the Belfield and Gladstone contracts subject to the State's Attorney review.

All voted aye, motion carried.

Lee reports Deputy Klatt was traveling to a conference in Minot and hit a deer last night and that vehicle may need to be totaled.

Lee also reports there have been several complaints regarding 114th out to the lake and would like that road to be on the Commission's radar and he is looking for ideas.

Heiser provides an update on the road crew, they are currently blading roads and hauling gravel. He provided information on a track hoe they are renting, the rent for 4 months of use is about \$23,000 and he could buy it for \$162,000. He believes he has room in the budget to buy it. Messer asks if we could table until next month. Heiser states it could, we would just need to make the July payment for approximately \$5800.

Todd Miller, Road Operations Specialist, spoke regarding the road near the golf course. The residents in the subdivision by Patterson Drive are requesting the speed limit be lowered to 20 mph. Miller recommends it be set at 15 mph as the Decker subdivision is at 15 mph and the road is better there. Traffic counters were put out on 8th St by the Golf Course and the highest speed was 90 mph and the average speed was 45 mph. He believes more patrolling is also needed out there. Clarys asks about speed bumps and Miller is concerned with snow removal and liability. Heiser suggests portable rumble strips or a speed bump that is removed in the winter. Miller suggests a speed bump going into the subdivision on 30th. Rick Mellmer, a resident of Patterson Lake, addressed the commission saying, the traffic on 30th and 8th has increased tremendously, and he sees vehicles going 60 or 70 mph. He would like to see increased patrols out there also. He believes the flashing signs with your speed limit work. Heiser says they will put the post-mounted signs up. Mellmer thinks a speed bump just as you go onto 30th and a speed limit of 15 mph. Heiser states they will get the speed bumps and signs ordered.

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

To change the speed limit to 15 mph, per the recommendation.
All voted aye, motion carried.

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

To put \$5974 of rental fees for the track hoe unit on the July bills to be paid.
Roll call, all vote aye, motion carried.

Andrew Krebs, KJL advises they are working on utility conflict drawings, pavement design, and the environmental document on the Hwy 10 Roundabout. The Hwy 10 chip seal has been completed except for cutting spotting tabs which is planned for September.

James Kadrmas, Interstate Engineering appeared via the phone and updated on BJR-0045 – the permitting process is complete, and the bid date is set for August 9th.

Highland Engineering has no report.

Jeremy Wood, Northern Plains advises on the 131st project the work is done, and they are waiting on a final inspection. 41st, 109th, and 114th are being worked on and all should be completed this week. The 32nd and 10th paving project has started. The flex funding is \$7.5 million and a special reimbursement of \$800,000 and he recommends the chair to sign. Wood also addresses an acceleration lane on the intersection of 107th and 10 and feels it might make sense as you move up a grade when exiting 107th. Heiser feels the funds are available to accommodate the acceleration lane.

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

To authorize the Chairman to sign the reimbursement.

All voted aye, motion carried.

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

To have the Road Department and Northern Plains complete the intersection of 107th and 10 with an acceleration lane.

All voted aye, motion carried.

Sherry Adams, executive officer of the SWDHU advises their budget has been holding even for the 4th year. She reported on a couple of additional grants that have been received, which helped on the cash-in side. She reports there are no other major changes to the 2025 budget. 3 Commissioners will be needed at the August 13th meeting at the health unit.

DVRCC is not present.

Kelly Braun representing Dickinson Airport and Tom Schauer from Mead and Hunt, the airport's Engineering Consultant firm, addressed the commission. Braun presents the preliminary budget, advising over the last couple of years there have been no budget shortfalls at the airport. Each year they request 4 miles from the city and 1 from the county and those are used for operating funds. He

reports on big projects, with the runway project just being recently completed. They are also looking to construct a new airport terminal, as the existing terminal is undersized and doesn't meet ADA requirements. Schauer presents an overview of the proposed terminal. The proposed cost estimate is \$46.5 million. They will seek federal funding and state funding. They will also be asking for a local share from Stark, Billings, Dunn, and the City of Dickinson – asking for \$5 million spread across those entities. They would like a current support letter and a pledge in the Spring of 2025. Braun states they could levy 10 additional mills for an airport project but haven't used that in the past.

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

To provide a letter of support.

All voted aye, motion carried.

Theresa Liebsch, from Vision Zero appeared to provide an overview and update on their accomplishments. The goal is to get to zero traffic fatalities. From 2015 to 2022 there were 24 traffic fatalities in Stark County and 15 were not wearing a seat belt. She presented an overview of peer-to-peer schools and is planning to bring seat belt safety into the Dickinson schools this fall.

Becky Roshau representing the Stark County Council on Aging thanked the commission for their past support. Their organization supports seniors and those with disabilities and they touch 5000 – 6000 lives a year. She reports that Eldercare and SWDHU are the glue that provides those services. Their programs help to give hope to the senior population. She also discussed that senior centers in the county have requested funds, and those centers get people out of their houses.

Break 10:49 a.m. to 11:04 a.m.

Decker reports that currently, all lifelines are stable. She presented an overview of fires in the county for July, there were four structure fires and 38 wildfires with 67 acres burned. The burn restrictions have been updated, as of today, to restrict all burning. She provided a report on the July 12 storm, a funnel was located in Dunn County headed to Stark County, and a citizen alert was sent to the Taylor and Richardton areas.

Decker requests out-of-state travel for Jolyn Bliss to attend the APCO conference in SD to continue her education. The cost is \$887 and is within budget.

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

To approve out-of-state travel.

All voted aye, motion carried.

Richard presents four outstanding checks and is looking for approval to cancel the checks totaling \$97.21.

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

To approve the cancellation of the checks as per the document provided by the Auditor totaling \$97.21.

Roll call, all vote aye, motion carried.

Richard provides the 2023 mil number and the proposed 2024 amounts which are collected in the 2025 year. She reports this will affect the estimated tax statements that go out in August and the mil levy. The commission can choose to go down on the amount they set, but not up and she recommends staying at the same dollar amount as last year.

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

To set the tax statement amount at \$14,338,543 as proposed.

Roll call, all vote aye, motion carried.

Clarys presents a proposal he put together with Richard and Messer which has a formula to propose an infrastructure fund for the small cities in the county. The contribution from the general fund of \$1 million for 3 years for a total of \$3 million is to be distributed by population based on the 2020 census. Messer points out that this will be a matching fund. White expresses concern with special funds as he feels it undermines the general fund. Marsh suggests home rule and sales tax as funding in the future and he would like to see the criteria of the cities getting the funds. White would like to see if any other counties are doing something like this.

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

To take this proposal to the next step, create the criteria and checklist, and work out the details of the funding to include in the budgeting process.

Roll call, Messer – aye, Clarys – aye, Marsh – aye, White – nay, Chairman Franchuk - aye, motion carried.

Wandler presents information on the lots in Richardton that the county currently owns. There are 3 lots and the value of those lots would be \$7,700. Messer states we are trying to figure out how to establish the value as we have delinquent taxes, delinquent specials, demolition, and landfill charges which amount to almost \$50,000. We need to put a reasonable value on the property to recoup reasonable costs. Messer feels the properties could bring north of \$20,000.

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

To set the valuation of all three lots at \$30,000.
Roll call, all vote aye, motion carried.
Engelstad notes we will need to have a public hearing next.

Clarys reports the Weed Department has a 95 Ford F150 to sell, but he would like to wait until the next meeting when Jepson can be present with the details. Clarys questioned if it could be put out on bids. Engelstad states if it is over \$1,000 it needs to be a sale with public notice, which is once each week for two consecutive weeks.

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

To sell via sealed bids at a minimum of \$1,000 to be opened at our next meeting.
All voted aye, motion carried.

Pearcy presents the Bereavement Leave policy that contains the significant other definition, as requested at the last meeting, and added brother-in-law and sister-in-law.

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

To approve the Bereavement policy.
All voted aye, motion carried.

Pearcy presents the Sick Leave policy which now also includes the definition of significant other.

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

To approve the Sick Leave policy
All voted aye, motion carried.

Pearcy presents a new Social Media policy. The intent was to lay out personal and professional guidelines regarding posting on Facebook and the website. Messer asks if this pertains to elected officials. Pearcy states you would need permission to use logos, etc. Engelstad responds that as they run for election, they may use Stark County and the logo, and she thought that portion of the policy was going to be removed. Engelstad states if there is no copyright on the logo image, we have no recourse to go after anyone who posts it. Posting of the logo discussion was held.

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

To remove the logo statement from the Social Media policy and that can be addressed either in a Code of Conduct or Disciplinary policy.
All voted aye, motion carried.

Pearcy asks if this wording should be removed from the Employee Handbook. Engelstad agrees that it could be addressed in the Code of Conduct policy.

Franchuk states the August 20th meeting is no longer needed.

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

To cancel the August 20th scheduled commission meeting.
All voted aye, motion carried.

Richard presents 1160.91 unorganized township mileage which needs approval before being sent to the state for reimbursement.

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

To submit the unorganized township road miles at 1160.9 and authorize the chair to sign.
All voted aye, motion carried.

The total of all bills approved from July 3, 2024 through August 6, 2024, equals \$1,765,210.71.

A detailed list of bills paid by check and ACH is available for public inspection anytime during regular business hours at the Stark County Auditor's office.

Commissioner Messer made a **MOTION** to adjourn at 12:11 p.m., Commissioner White **SECONDED**, Adjourned.



Karen Richard, Auditor



Dean Franchuk, Chairman