

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**  
**September 7, 2023**

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, Human Resources Joetta Percy, Planner Steve Josephson, Weed Department Travis Jepson, and County Park Lisa Heiser.

**RATIFY AGENDA**

Franchuk adds the front steps of the courthouse and Clarys adds budget amendment for LEC.

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

To ratify the agenda as amended.

**DISPOSITION:** All voted aye. Motion Carried.

**MINUTES**

Chairman Franchuk called for approval of the minutes from August 1, 2023.

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

To approve the minutes as presented.

**DISPOSITION:** All voted aye. Motion Carried.

Chairman Franchuk called for approval of the minutes from August 10, 2023.

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

To approve the minutes as presented.

**DISPOSITION:** All voted aye. Motion Carried.

Chairman Franchuk called for approval of the minutes from August 22, 2023.

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

To approve the minutes as presented.

**DISPOSITION:** All voted aye. Motion Carried.

**LEC BUDGET AMENDMENT**

Clarys reports the LEC-approved budget for 2023 has a zero-line item for capital improvements, but the \$6000.00 per month payments have been made monthly for 2023 and is also in the accounts payable today. He believes this is a necessary expense as the LEC is an aging building and repairs are needed. He asks the 2023 budget be amended to include that \$6,000.00 per month.

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

To amend the 2023 LEC budget for capital improvements from \$0 to \$72,000.00.

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

**ACCOUNTS PAYABLE**

Messer questions 2 bills for weed control spraying at the Fairgrounds and Motor Speedway, asking why that is contracted out. Al Heiser responds that the weed department is busy doing their own spraying and they would have to switch out the spray. Jepson responds that they now have an extra sprayer and could make time to do that spraying. Messer states he would like to see that in the future.

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

To approve the accounts payable.

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

ALL AMERICAN TRAVEL	WITNESS/TRANSCRIPTS	\$ 3,749.20
AP - BOSS OFFICE	PRESERVATION FEE	\$ 1,273.82
AP - BRAUNS	OFFICE SUPPLIES	\$ 839.63
AP - CENTRAL MECHANICAL	CH HEAT/COOL	\$ 339,390.00
AP - CHARBONNEAU	VEHICLE EXPENSE	\$ 410.02
AP - CHS SW GRAIN	FUEL	\$ 7,939.96
AP - CONSOLIDATED	PHONES/IT	\$ 21,958.46
AP - FISHER SAND & GRAVEL	GRAVEL	\$ 14,961.22

AP - GOOSENECK	EQUIPMENT EXPENSE	\$ 2,914.59
AP - INFO TECH	IT/COMPUTERS	\$ 9,310.23
AP - J & J OPERATING	EQUIPMENT EXPENSE	\$ 50.95
AP - J LORAE SERVICES	CLEANING	\$ 3,000.00
AP - JUST IN GLASS	VEHICLE EXPENSE	\$ 50.00
AP - KLU SOLUTIONS	ENGINEER FEES	\$ 5,180.75
AP - KOHLER COMM	VEHICLE EXPENSE	\$ 1,055.10
AP - LOGO MAGIC	SCHOOL PROGRAMS	\$ 539.33
AP - NELSON INTL	SHOP SUPPLIES	\$ 684.71
AP - NW TIRE	VEHICLE EXPENSE	\$ 2,033.59
AP - PROF DEVELOP ACAD	AUDITOR TRAINING	\$ 5,000.00
AP - RÜNNINGS	DEPT SUPPLIES	\$ 287.79
AP - SWMCCC	INMATES/COURT	\$ 215,413.82
AP - THOMSON REUTERS	RESEARCH	\$ 655.57
AP - TOTAL SAFETY	EQUIPMENT EXPENSE	\$ 482.00
AP - TRUENORTH STEEL	CULVERTS	\$ 37,511.60
AP - TYLER TECH	PRESERVATION FEE	\$ 2,693.79
AP - VIKING GLASS	REPAIRS	\$ 30.00
AP - WEST DAKOTA OIL	FUEL	\$ 3,107.78
AP - WEX FLEET	FLEET EXPENSE	\$ 16,808.71
AP - WEX HEALTHCARE	COMP HEALTH	\$ 104.50
APCO INTL	E-911 TRAINING	\$ 798.00
ARAMARK	MATS	\$ 319.17
ARMOR INTERACTIVE	BACKUPS	\$ 564.20
AT&T MOBILITY	PHONE	\$ 36.65
BCBSND	SANFORD HEALTH	\$ 332.60
BOSCH LUMBER	SUPPLIES	\$ 9.30
BRAUN INTERTEC	CONTRACTORS	\$ 2,526.25
BRAVERA INSURANCE	VEHICLE/NOTARY	\$ 449.00
BUTLER MACHINERY	EQUIPMENT EXPENSE	\$ 17,454.21
CENEX OF RICHARDTON	FUEL	\$ 30.59
CENTURY LINK	PHONE	\$ 151.72
CITY OF BELFIELD	UTILITIES	\$ 28.11
CITY OF DICKINSON	MAINTENANCE	\$ 33,352.00
DIX ANIMAL SHELTER	ANIMAL BOARDING	\$ 670.00
CITY OF RICHARDTON	UTILITIES	\$ 116.80
CREATIVE ENERGY	FUEL	\$ 3,563.32
DD - BLISS, JOLYN	TRAVEL	\$ 582.00
DD - CLIFTON, JESSICA	TRAVEL	\$ 124.45
DD - PEARCY, JOETTA J	TRAVEL	\$ 371.78
DEPT OF CORRECTIONS	TRANSPORT	\$ 150.00
DIAMOND TRUCK EQUIP	VEHICLE EXPENSE	\$ 1,106.25
DUNN COUNTY TREASURER	COUNTY CORONER	\$ 165.00
DUSTBUSTERS	MAG CHLORIDE	\$ 6,540.00
FERGUSON ENTERPRISES	BLDG SUPPLIES	\$ 346.34
FORUM COMMUNICATIONS	PUBLISHING	\$ 217.36
FOUR SEASONS TROPHIES	SHOP SUPPLIES	\$ 100.00
GEORGE'S TIRE	REPAIRS	\$ 25.00
HLEBCHUK CONSTRUCTION	CONTRACTORS	\$ 12,522.50
HUTZ'S WELDING	EQUIPMENT EXPENSE	\$ 56.31
INTOXIMETERS INC	EQUIPMENT	\$ 200.00
K&T SERVICES	GRASS SEED	\$ 4,637.20
KIESLER POLICE SUPPLY	EQUIPMENT	\$ 409.00
KIRK ROLL	COUNTY CORONER	\$ 1,600.00
KOMPLEKS ASSESSMENT	TAX - APPRAISALS	\$ 10,200.00
LAWSON PRODUCTS INC	SHOP SUPPLIES	\$ 224.30
MACKOFF KELLOGG LAW	CONTRACT	\$ 2,000.00

MAC'S INC	MAINTENANCE	\$ 21.68
MATCO TOOLS	SHOP SUPPLIES	\$ 54.80
MDU	UTILITIES	\$ 8,132.10
MENARDS	DEPT SUPPLIES	\$ 863.07
MOTOR VEHICLE DOT	REGISTRATIONS	\$ 23.00
NAPA DICKINSON	SHOP SUPPLIES	\$ 254.22
ND APCO ASSOCIATION	E-911 TRAINING	\$ 250.00
ND ASSOC OF COUNTIES	DRUG/ALCOHOL TEST	\$ 504.07
NDSU - NANCY SMITH	TRAVEL	\$ 136.42
NEWBY'S ACE HARDWARE	DEPT SUPPLIES	\$ 104.35
NSC MINERALS	SALT SHED	\$ 8,145.00
NUTRIEN AG SOLUTIONS	CHEMICALS	\$ 2,867.60
STATE AUDITOR	AUDIT FEES	\$ 12,000.00
OTIS ELEVATOR COMPANY	REPAIRS	\$ 100.00
PENGUIN MANAGEMENT	911 EQUIPMENT	\$ 2,880.00
PHARM CHEM INC	24/7 FUND	\$ 3,814.40
PLATINUM MOTOR SPORTS	EQUIP REPAIR	\$ 168.99
PRESORT PLUS LLC	TAX STATEMENTS	\$ 9,302.11
QUALITY QUICK PRINT	OFFICE SUPPLIES	\$ 370.00
RADISSON HOTEL BISMARCK	TRAVEL	\$ 352.80
RAMADA BISMARCK HOTEL	TRAVEL	\$ 352.80
RDO EQUIPMENT COMPANY	EQUIPMENT LEASES	\$ 6,491.36
ROUGH RIDER ELECTRIC	UTILITIES	\$ 1,134.15
RUDY'S LOCK & KEY LLC	VEHICLE EXPENSE	\$ 12.50
SAX MOTOR CO	VEHICLE PURCHASE	\$ 56,117.00
SOUTHWEST WATER	UTILITIES	\$ 110.64
STOC PRODUCTS LLC	VEHICLE EXPENSE	\$ 190.00
SUHR-MERKENS LAW, PLLC	MENTAL HEALTH	\$ 820.00
SUMMIT FIRE PROTECTION	SMOKE PROTECTORS	\$ 200.00
SUNSET LAW	SHOOTING RANGE	\$ 14,706.00
SUPERIOR WATER	WATER	\$ 18.00
TOOZ CONSTRUCTION INC	CONTRACTORS	\$ 1,657.50
TRACEY & JACKIE HOFF	RIGHT OF WAY	\$ 1,200.00
TRAFFIC SAFETY SERVICES	EPOXY	\$ 16,617.00
T-REX CONOCO INC	FUEL	\$ 44.20
TY NEWTON FENCING	FENCING	\$ 3,415.00
UNITED TRUCK EQUIP	EQUIPMENT EXPENSE	\$ 1,350.84
VAL'S SANITATION	UTILITIES	\$ 240.00
VERIZON WIRELESS	PHONE	\$ 2,913.23
VISA	DEPT SUPPLIES	\$ 4,179.43
VOICE PRODUCTS SERVICE	911 EQUIPMENT	\$ 2,137.00
WELLCARE	SANFORD HEALTH	\$ 7.50
WESTERN DAKOTA ENERGY	MEETING DUES	\$ 125.00
WESTLIE TRUCK	VEHICLE EXPENSE	\$ 30,696.30
WOODWORTH LAW OFFICE	MENTAL HEALTH	\$ 215.00
XEROX CORPORATION	COPIER EXPENSE	\$ 187.10

#### YEARS OF SERVICE RECOGNITION

Franchuk presented the following employees with Years of Service Recognition Certificates: 45 years of service – Leon Kuntz.

#### MIKE DSCHAAK – COURTHOUSE STEPS

Dschaak presents bids from a stone mason and Winn Construction for the replacement of the front steps of the courthouse. There would be 2-3 weeks that the front entrance will be obstructed, but he is hoping the ramp will be usable within a week. The back door will need to be used while this construction is in progress.

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

To authorize the funding of \$142,500.00 for the replacement of the front step project out of Capital Improvements.  
**DISPOSITION:** Roll call: Commissioners: Messer - aye, Clarys- aye, Marsh- aye, White - aye, Chairman Franchuk – aye. Motion Carried.

#### **COREY LEE – SHERIFF REPORT**

Lee presented the August 2023 report to the Commission: • Total calls for service 1790 – up from 1637 last year • Traffic stops 336 – up from 297 last year • 9 theft-related calls – down from 11 last year • 332 PR stops – up from 218 last year • 19 Bar checks – up from 10 last year • 35 calls for K-9 • Transports: 19 Prisoner, 28 Court, 3 Juvenile, 3 Medical, 6 M/H, 1 Assist • Responded to 19 accidents: 0 pedestrians, 0 fatalities, 1 hit & run, 7 injury, and 11 property • 96 Total Arrests and 73 Warrants served • Civil Division: 166 attempts / 34 Subpoenas / 117 Civil Papers / 11 Criminal Papers.

Lee discussed water issues at the Sheriff's office from the jail upstairs and water that may be in the walls causing mold issues.

#### **AL HEISER – COUNTY ROAD**

Heiser presented quotes on motor graders, the trade difference on 4 machines from RDO was \$1,517,800 and Butler Machinery was \$1,509,550. He recommends Butler Machinery for the 4 graders as they are the low bid. Messer questions the funding of these. Heiser advises there will be some carryover from the 2023 budget, and these will come in 2024 and will be in that year's budget.

MOTION BY: Commissioner White      SECONDED BY: Commissioner Marsh  
To take the money out of Capital Improvements for the Belield shop, \$2511.95 to Electric Sales and Service.

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

MOTION BY: Commissioner Messer      SECONDED BY: Commissioner White

To approve the Butler Machinery bid for \$1,509,550.00.

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

The road department is replacing old bridges and hauling on Jurgens Road - with all the rain the road is soft, so they are going to hold off. Grass is taking over some roads on the shoulders – so hoping that people take care of their mowing.

#### **ANDREW SCHRANK – HIGHLAND ENGINEERING**

• BRJ-0045(074) PCN 23382 Bridge Replacement with a Box Culvert on 80<sup>th</sup> Ave SW – 15 miles south & 8 miles east of Richardson (HES Project #210449)  
Construction is complete and the roadway has been opened to traffic. We are working on preparing and submitting the final paperwork for the project.

• BRJ-0045(076) PCN 23725 Bridge Replacement with a Box Culvert on 83<sup>rd</sup> Ave SW – 3 miles east & 7 miles north of Richardson (HES Project #210271)

The final environmental document (DCE) and the USACE permit have been submitted and approved. Final plans, specifications, and estimates were submitted 7.31.23. The bid letting is scheduled for October 2023 with construction completion in October 2024.

• 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 draft environmental document was submitted to the NDDOT on 2/9/23. The hydraulic reports and PS&E review plans were submitted on 7/7/23. NDDOT put the final design of this project on hold while they establish low water crossing guidance. The bid letting is scheduled for February 2024 with construction completion in October 2024.

#### **ANDREW KREBS - KLI**

• CBP-0045(1702) Site 1 Wetland Mitigation Monitoring 47<sup>th</sup> St SW

Fieldwork for the 2023 annual wetland mitigation monitoring has been completed (fifth year). The mitigation site is currently at 0.38 acres which meets the goal of 0.38 acres. KLI finalized the wetland mitigation monitoring report and submitted it to the USACE.

• Hwy 10 & 116<sup>th</sup> Ave SW Intersection Improvements

Finalized agreement for the preliminary and design engineering portion of the project. KLI completed wetland delineation and is planning to complete cultural and preliminary surveys this fall as well. The project is currently scheduled 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. Bid opening is scheduled for November 17, 2023, through the NDDOT with 2024 construction.

- **Skyline Subdivision Plat Review**

KLJ completed a final plat review and provided comments to Stark County (Steve Josephson) for the Skyline Subdivision.

**DUSTIN YOUNG & JANELLE STONEKING – SW ART GALLERY AND SCIENCE CENTER**

Rich Wardner, an advocate for the SW Art Gallery, thanked the county for what they do to support the youth. He states the city has already pledged their support for the Art Gallery and they will be looking to the county for support also. He introduced Dusin Young and Janelle Stoneking. Stoneking presented an overview of the SW Art Gallery. They have raised over \$100,000 at a gala and will be having another coming up. The most powerful project they have done, to date, is an overnight lock-in at Dickinson High School. The kids made great connections and it was a powerful event. Young, interim director of the gallery advises this gallery will affect all Stark County residents; they want to bring these experiences to the small towns too. They have developed a strategic plan and recently finished financial projections and are currently in stage 3 of 4 to bring this to Stark County. They are looking at purchasing the empty City Hall building. Their future goal is to be self-sustaining, along with the assistance of grants. The goal today was to introduce the SW Art Gallery and they are hoping to get some support and funding in the short term to purchase the building, remodel, and get their feet on the ground, there was no specific funding amount requested.

Franchuk recesses the commission for the Park Board meeting.

**PARK BOARD 10:00 a.m. to 10:15 a.m.**

**BREAK 10:15 a.m. to 10:30 a.m.**

**SOUTHWEST MANUFACTURING GROUP (MANUFACTURING DAY PROCLAMATION)**

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

To authorize the Chairman to sign the resolution to declare October 3, 2023, as Manufacturing Day in Stark County.

**DISPOSITION:** All voted aye. Motion Carried.

**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 13<sup>th</sup> with Edward H Schwartz Construction the low bidder at \$823,364.69. Construction is expected to begin in late fall. The project completion date is July 2024.

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

Survey and design activities are underway in preparation for a fall bid opening. We are considering combining the projects and bidding a single project to attract more bidders and achieve lower construction costs. Construction is expected in 2024.

- **DRAINAGE SURVEY**

We completed a drainage survey on 91<sup>st</sup> Ave between 37<sup>th</sup> and 38<sup>th</sup> St. and developed options to facilitate drainage along 91<sup>st</sup> Ave.

**ALAYNEA DECKER – SW CRIB PRIMARY REPRESENTATIVE**

Decker addressed the commission regarding the appointment needed for the SW Crib Primary Representative. As the representative, she would represent Stark County and part of the region.

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

To appoint Deckert to that position.

**DISPOSITION:** All voted aye. Motion Carried.

**JOINT POWERS AGREEMENT WITH NDACO – 911 FEES**

Richard advises the NDACO would like to take over the county's responsibilities for collecting and disbursing the county 911 fees. There is currently not a great system in place to ensure that all fees are being paid to the counties as a result NDACO would set up the process and all checks would then go to them, and they would distribute the money to the state and the counties. She recommends Stark County sign the JPA. All counties in North Dakota do need to be on board for this to be effective.

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

To sign the Joint Powers Agreement with NDACO.



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

#### **TRAVIS JEPSON - WEED DEPARTMENT UPDATE**

Jepson thanked his seasonal help and stated the crew size was reduced this year and that seemed to work great. The weed department has continued the trash pickup program this year and picked nearly 200 miles of ditches. They have seen about 150 sales in the cost share program, he also normally does a fall purchase to bring up stock, but with the current price is going to hold off. The weed department needs a different spray rig as the current rig overheats. There is a rig at Sax Motor for \$56,000 and if the weed board approves that purchase next week, that could be purchased out of this year's budget and then the sprayer would be built into next year's budget. The existing truck would be sold, if possible.

#### **STEVE JOSEPHSON – PLANNING & ZONING**

Josephson presented RZ 04-23 Jesse Kovash rezoning from Agriculture to Rural Residential, if approved the applicant wishes to turn it into a minor subdivision plat. The land is in the W ½ of the SW ¼ of Section 14, Township 140 North, Range 95 West containing approximately 14.45 acres. Both staff and the Planning & Zoning Board recommended approval.

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

To approve RZ 04-23 Jesse Kovash, rezoning from Agriculture to Rural Residential.

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

Josephson presented MSP 02-23 Jesse Kovash approval of a minor subdivision plat of the Crocus Estates Subdivision located in the W ½ of the SW ¼ of Section 14, Township 140 North, Range 95 West containing approximately 14.45 acres. Both staff and the Planning & Zoning Board recommended approval.

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

To approve MSP 02-23 establishing Crocus Estates Subdivision located in Section 14, Township 140 North, Range 95 West.

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

Josephson presented CUP 01-23 Todd and Deborah Schweitzer approval of an Accessory Dwelling Unit located on property located in the SW ¼ of the SE ¼ and the S ½ of the SW ¼ of Section 21, Township 140N, Range 97W. They are requesting a variance to the maximum habitable area square footage as well as a variance to the distance from the principal residence. Both staff and the Planning & Zoning Board recommended approval.

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

To approve CUP 01-23 Todd and Deborah Schweitzer Accessory Dwelling located in Section 21, Township 140N, Range 97W, along with the proposed variances.

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

Josephson presented FSP 01-23 Skyline Assets, LLC requesting approval of the final plat for the Skyline Subdivision located in the SE ¼ of the SW ¼ and Government Lot 4 of Section 7, Township 140 North, Range 96 West containing approximately 72.31 acres. They are also requesting a variance to the maximum length of a cul-de-sac. Both staff and the Planning & Zoning Board recommended approval.

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

To approve FSP 01-23 Skyline Assets, LLC located in Section 7, Township 140N, Range 96W.

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

Josephson presented RZ 05-23 Sean McMahan requesting rezoning from Agriculture to Agricultural Residential, if approved they wish to establish a minor subdivision plat. The land is in the N ½ of SW ¼ of Section 35, Township 139 North, Range 97 West containing approximately 40 acres. Both staff and the Planning & Zoning Board recommended approval.

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

To approve RZ 05-23 Sean McMahan moving the land located in Section 35, Township 139 North, Range 97 W from Agriculture to Agricultural Residential.

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

Josephson presented RZ 05-23 Sean McMahan requesting rezoning from Agriculture to Agricultural Residential, if approved they wish to establish a minor subdivision plat. The land is in the N ½ of SW ¼ of Section 35, Township 139 North, Range 97 West containing approximately 40 acres. Both staff and the Planning & Zoning Board recommended approval.

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

To approve RZ 05-23 Sean McMahan moving the land located in Section 35, Township 139 North, Range 97 W from Agriculture to Agricultural Residential.

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

Josephson presented MSP 03-23 Sean McMahan approval of a minor subdivision plat of the Sunset Grove Subdivision located in the N ½ of SW ¼ of Section 35, Township 139 North, Range 97 West containing approximately 40 acres. Both staff and the Planning & Zoning Board recommended approval.

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

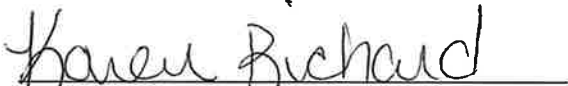
To approve MSP 03-23 establishing Sunset Grove Subdivision located in Section 35, Township 139 North, Range 97 West.

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

Josephson also advises the commission there will be 3 public meetings regarding the comp plan: September 26 in South Heart, September 27 in Dickinson, and September 28 in Taylor – all from 6 pm to 8 pm.

Heiser addresses the commission stating many people want gravel from the gravel pits and he would like to have a gravel day where the road department is at a pit and people can come and get gravel, the road department will load it for them, and they will get paid for it the same day. He would like to set this up in October. The commission agrees this is a good idea.

Commissioner Messer made a **MOTION** to adjourn at 11:04 a.m., Commissioner White **SECONDED**, Adjourned.

  
Karen Richard, Auditor

  
Dean Franchuk, Chairman