

**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**  
**February 6, 2024**

Chairman Franchuk called the regular meeting of the Stark County Board of Commissioners to order at 9:36 a.m. Commissioners Present: Dean Franchuk, Paul Clarys, Bernie Marsh (on Zoom), Neal Messer, and Cory White. Department Heads Present: Auditor Karen Richard, Sheriff Corey Lee, Road Superintendent Al Heiser, Human Resources Joetta Percy, Emergency Manager Alayne Decker, Park Director Lisa Heiser, Planning & Zoning Steve Josephson, Tax Director Natalie Wandler, County Agent Kurt Froelich, and State's Attorney Amanda Engelstad.

Franchuk presents the agenda and removes the City of Dickinson and Clarys adds LEC repairs and IT contract with the City of Dickinson

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

To ratify the agenda as amended.

All voted aye, motion carried.

Chairman Franchuk called for approval of the minutes from January 4, 2024.

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

To approve the minutes as presented.

All voted aye, motion carried.

Chairman Franchuk called for approval of the minutes from January 16, 2024.

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

To approve the minutes as presented.

All voted aye, motion carried.

Discussion was held on the bills presented for payment.

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

To approve the bills as submitted, less the \$697.50 and add \$42,108.35 from the City of Dickinson for Dispatch for December 2023.

Roll call, all vote aye, motion carried.

GENERAL FUND PAYROLL	\$ 504,320.29	DOMESTIC VIOLENCE	\$ 81,750.00
HIGHWAY TAX PAYROLL	\$ 174,168.30	DUNN COUNTY TREAS	\$ 245.00
VETERAN SERVICE PAYROLL	\$ 15,440.62	ELECTRONIC COMM	\$ 8,655.78
COUNTY AGENT PAYROLL	\$ 7,417.12	ETSYSTEMS INC	\$ 390.00
WEED CONTROL PAYROLL	\$ 11,567.04	FORUM COMM	\$ 950.08
E-911 PAYROLL	\$ 5,413.84	FOUR SEASONS TROPHIES	\$ 94.19
VICTIM WITNESS PAYROLL	\$ 8,422.88	GARRETT ELECTRONICS	\$ 25,748.00
COPS GRANTS PAYROLL	\$ 43,326.37	GENERAL STEEL	\$ 27.48
AP - CENTRAL SQUARE	\$ 26,388.59	GUARDIAN FLEET SAFETY	\$ 587.94
ALL AMERICAN TRAVEL	\$ 2,711.40	HUTZ'S WELDING	\$ 123.50
ALLAN'S DECORATING	\$ 12,276.29	IBS INC.	\$ 894.88
AP - AVI SYSTEMS	\$ 500.00	JAYDEN PETERS	\$ 25.00
AP - B & C SANITATION	\$ 480.00	JIM BOBB	\$ 78,493.00
AP - BALCO	\$ 366.54	JOHN & NANCY DULETSKI	\$ 68,514.80
AP - BIG HORN TIRE	\$ 228.00	JON'S HOME COMFORTS	\$ 755.80
AP - BORDER STATES ELEC	\$ 255.52	JP STEEL & SUPPLY	\$ 1,414.16
AP - BOSS OFFICE PRODUCTS	\$ 556.68	KEAGAN JACOBSON	\$ 50.00
AP - BRAUN DISTRIBUTING	\$ 853.56	KIRK ROLL	\$ 2,800.00
AP - CHARBONNEAU	\$ 2,607.24	KOLLING & KOLLING	\$ 95,375.25
AP - CHS SOUTHWEST GRAIN	\$ 8,310.42	LANGUAGE LINK	\$ 157.57
AP - CLEAN SWEEP VACUUM	\$ 729.94	LAWSON PRODUCTS	\$ 185.72
AP - CONSOLIDATED	\$ 14,070.97	LEGEND AUTO BODY	\$ 2,677.80
AP - ESRI	\$ 4,675.00	LINDE GAS	\$ 473.46
AP - EVERBRIDGE INC	\$ 10,272.07	MACKOFF KELLOGG	\$ 4,000.00
AP - FARM & HOME PUBLISH	\$ 570.00	MAC'S INC	\$ 361.10

AP - FEDERAL SIGNAL CORP	\$ 3,150.00	MDU	\$ 10,903.58
AP - FISHER SAND & GRAVEL	\$ 211,318.38	MENARDS	\$ 917.98
AP - GOOSENECK	\$ 68.38	MIDAS AUTO	\$ 873.80
AP - HEART RIVER CLEANING	\$ 625.00	MOCIC	\$ 200.00
AP - HIGHLANDS ENG	\$ 378.00	NAPA DICKINSON	\$ 1,002.36
AP - INFORMATION TECH	\$ 75,241.54	ND 911 ASSOCIATION	\$ 100.00
AP - J & J OPERATING LLC	\$ 6,703.09	ND ASSOC COUNTIES	\$ 13,561.79
AP - J LORAE PERFECTION	\$ 6,935.00	ND COUNTY AUDITORS	\$ 500.00
AP - JAM PEST CONTROL	\$ 215.00	ND COUNTY RECORDERS	\$ 200.00
AP - KLJ SOLUTIONS	\$ 21,627.22	ND SECRETARY OF STATE	\$ 36.00
AP - LOGO MAGIC	\$ 3,172.00	ND STATE RADIO	\$ 1,500.00
AP - NELSON INTERNATIONAL	\$ 774.50	NDEMA	\$ 50.00
AP - NORTH DAKOTA 1 CALL	\$ 14.30	NDSU EXTENSION	\$ 563.27
AP - NW TIRE	\$ 3,789.51	NDSU AG BUDGET 7510	\$ 14,112.04
AP - PITNEY BOWES	\$ 1,179.58	NDSU HUMAN DVLP	\$ 1,000.00
AP - PRECISION KIOSK	\$ 1,350.00	NEWBY'S ACE HARDWARE	\$ 274.45
AP - QUALITY QUICK PRINT	\$ 769.00	PHARM CHEM INC	\$ 3,220.70
AP - RUNNINGS	\$ 331.26	POLICE LEGAL SCIENCES	\$ 2,400.00
AP - SIGN SOLUTIONS	\$ 568.47	PRAIRIE LUMBER BEACH	\$ 1,733.06
AP - SWMCCC	\$ 261,999.28	PRESORT PLUS LLC	\$ 11,041.99
AP - THOMSON REUTERS	\$ 897.34	PUMP SYSTEMS LLC	\$ 1,746.44
AP - TOTAL SAFETY U.S.	\$ 398.00	QUADIENT LEASING USA	\$ 5,664.27
AP - WEST DAKOTA OIL	\$ 341.41	QUALITY XTERMINATORS	\$ 230.00
AP - WESTLIES	\$ 25,404.78	RAYMOND P VEVERKA	\$ 25,975.00
AP - WEX FLEET	\$ 9,266.26	RDO EQUIPMENT	\$ 7,558.83
AP - WEX HEALTHCARE	\$ 99.00	RED ROCK FORD	\$ 285.43
AP - ZONAR	\$ 248.96	RICHARDTON FIRE	\$ 3,861.62
APCO INTERNATIONAL	\$ 1,187.01	RICHARDTON HEALTH C	\$ 10,000.00
ARAMARK	\$ 418.44	RICHARDTON AMB	\$ 10,000.00
ARDELLA VEVERKA	\$ 25,975.00	ROOSEVELT-CUSTER	\$ 33,670.00
ARMOR INTERACTIVE	\$ 56.00	ROUGH RIDER ELECTRIC	\$ 1,792.44
AT&T	\$ 36.78	SALAMANDER	\$ 4,560.00
BELFIELD SPORTSMAN CLUB	\$ 1,710.00	SANFORD HEALTH OCC	\$ 100.00
BEST FRIENDS MENTORING	\$ 15,000.00	SCENIC SIGN CO LLC	\$ 46.23
BILLINGS COUNTY AUDITOR	\$ 210,274.05	SHRED ND LLC	\$ 53.75
BOBCAT OF MANDAN	\$ 60.58	SLEEP INN & SUITES	\$ 529.20
BUTLER MACHINERY	\$ 5,645.80	SOUTHWEST WATER	\$ 371.08
CENTURY LINK	\$ 151.72	SWDHU	\$ 750.00
CERBERUS SECURITY	\$ 11,400.00	SRF CONSULTING GROUP	\$ 10,317.35
CHAD'S AUTOMOTIVE CLINIC	\$ 1,189.27	STARK COUNTY FAIR	\$ 109,500.00
CITY OF BELFIELD	\$ 28.11	STEVEN DROST	\$ 36.00
CITY OF DICKINSON	\$ 43,954.62	STEVENSON FUNERAL	\$ 535.00
CITY OF DICKINSON ANIMAL	\$ 330.00	SUNRISE YOUTH BUREAU	\$ 219,074.00
CITY OF RICHARDTON	\$ 116.80	SUPERIOR WATER	\$ 63.00
COMMUNITY ACTION	\$ 15,000.00	TESCHER FENCING	\$ 11,158.92
D & E SUPPLY COMPANY, INC	\$ 387.87	THE DICKINSON PRESS	\$ 194.29
DAVE NETZER PAINTING	\$ 6,935.00	THE UPS STORE	\$ 15.74
DD - JOHNSON, LARRY	\$ 10.99	TIMOTHY MEYER	\$ 25.00
DD - AWENDER, ANTHONY W	\$ 5.99	TITAN MACHINERY	\$ 144.20
DD - ENGELSTAD, AMANDA	\$ 514.38	TK ELEVATOR	\$ 2,175.50
DD - KING, DALTON R	\$ 33.46	T-REX CONOCO INC	\$ 15.00
DD - MCCLELLAN, JESSICA	\$ 127.30	US RECORDS MIDWEST	\$ 1,512.00
DD - MOROWSKI, PETER	\$ 750.28	USPIREND -	\$ 10,000.00
DD - STOLTZ, CHAD M	\$ 100.00	VANGUARD APPRAISALS	\$ 1,925.00
DD - WAHL, CODY	\$ 150.00	VERIZON WIRELESS	\$ 2,998.87
DEPT OF CORRECTIONS	\$ 434.98	VISA	\$ 6,597.32
DIAMOND TRUCK	\$ 86.31	VISION WEST ND	\$ 1,600.00

DICKINSON AMBULANCE	\$ 10,000.00	WALMART CAPITAL ONE	\$ 394.68
DILLON PRAUS	\$ 25.00	XEROX CORPORATION	\$ 205.71

Julie Obrigewitsch introduced Chad & Rhonda Kraenzel as the latest Stark County Spirit of Excellence recipients. The Kraenzels are recognized county leaders who were nominated based on their demonstrated qualities that exemplify a spirit of Excellence. Rhonda is a retired teacher who found her way back into the school system 3 years ago promoting reading in our community. She is known as Rhinestone Rhonda and has made reading cool again. Chad is an under-the-radar leader, who always steps up and helps when there is a need. He's been a business leader and a worship leader for the past twenty-plus years. His dedication is unmatched. The Kraenzels spoke and thanked the commission for having them and allowing them to represent Stark County and how very proud and honored they are to have received this award.

There were no Park Board Commission Items to address.

Franchuk presents Al Heiser with a certificate for 20 years of service to Stark County and to Gary Schaff for 15 years of service.

Sheriff Corey Lee presented the January 2024 report to the Commission: • Total calls for service 1543 – down from 1634 last year • Traffic stops 162 – down from 220 last year • 10 theft-related calls – up from 6 last year • 424 PR stops – up from 309 last year • 19 Bar checks – down from 28 last year • 20 calls for K-9 • Truck Reg 2 stops / 28 additional CFS • Transports: 19 Prisoner, 18 Court, 4 Juvenile, 2 Medical, 3 MH, 1 Assist • Responded to 16 accidents: 0 pedestrians, 0 fatality, 0 hit & run, 3 injury, and 13 property • 81 Total Arrests and 60 Warrants served • Civil Division: 182 attempts / 24 Subpoenas / 125 Civil Papers / 4 Criminal Papers.

Lee reports they are working on a contract with the City of Gladstone and that should be completed within the next month.

Al Heiser, County Road Superintendent, reported he and a few employees just returned from the County Engineers conference in Fargo. The DOT presentation showed that the bids for December are coming in at 40% to 50% higher than expected. He states that Stark County's being aggressive in the past is paying off today as costs are much higher now. The road crew is hauling gravel from up north and doing repairs to trucks during cold weather. The road department also made stands and steps for the Pioneer Machinery Hall at the museum, and the museum was very happy with them.

Brad Darr, NDDOT State Maintenance Engineer, discussed the state's limited 129,000 lb. truck network along ND 8 in Stark County. Daxon Kirschmann has requested that ND 8 from mile marker 35 to I-94 Interchange, be added to the 129,000 lb. large truck network, the current gross vehicle weight limit of that roadway is 105,500 lbs. Darr is looking for the commission's thoughts to take back to the advisory committee. The commission questioned Darr regarding fees and permits. Darr also advised that if this is approved then it will be open to everyone to get a permit, not just the applicant. Heiser states the county roads could not handle the weight, and he would not be in favor of any of the county roads moved up to 129,000, but he doesn't see any issue on Highway 8. Messer agrees this enhances our producers' getting products to market.

**JAMES KADRMAS – INTERSTATE ENGINEERING**

- BRJ-0045(075): 38<sup>TH</sup> St SW – 45-11-10.2 Bridge Replacement

The department has informed us that this project is no longer tied to any other as a bidding requisite and has finally returned the drafted environmental document. They now suggest that this project be bid this spring or summer, and we will now pivot back to concentrating solely on this project's demands.

- BRJ-0045(078): 130<sup>th</sup> Ave SW – 45-102-26.0 Bridge Removal

The NDDOT has advised that due to funding constraints, they are no longer able to fund the installation of low-water crossings. The removal of previously approved bridges will remain eligible for federal funds.

**ANDREW SCHRANK – HIGHLAND ENGINEERING**

- BRJ-0045(076): 83<sup>rd</sup> Ave SW – 3 miles east and 7 miles north of Richardton Bridge Replacement with Box Culvert

This project has been awarded to Baranko Brothers, Inc. for completion in October 2024.

- BRJ-0045(077): 32<sup>nd</sup> St SW, 91<sup>st</sup> Ave SW, 88<sup>th</sup> Ave SW Three Bridge Removals with Low Water Crossings

All final documents were submitted to the NDDOT for approval on 1/8/24. NDDOT sent an email on 1/30/24 indicating that this project will need to be moved to the 12/13/24 bid opening due to funding issues. They also indicated that they are no longer able to fund low-water crossings. However, they

previously had us remove all indications that this was a low water crossing project from the final documents, so we are clarifying if they still plan to fund this construction.

ANDREW KREBS - KLJ

- HLC-4500(050) PCN 24132 Hwy 10 & 116<sup>th</sup> Ave SW Roundabout

We met to discuss preliminary roundabout layouts and design considerations with Stark County. The design was discussed along with the roundabout size, location, material selection, and turning movements with how the roundabout would function. KLJ will proceed with the project design.

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

Morris Sealcoat and Trucking Inc. to complete construction in 2024.

Kara Simons, Director of the SWMCC Community Supervision Program provided an overview of this program. This program was designed to help people in jail get the services they need to be productive members of society. The program has been in place for 2 years and has saved the county up to \$500,000. Referrals for the program come from the State's Attorney and if the defendant qualifies for the program the release is allowed instead of posting bond if the defendant agrees to be placed on a GPS device and the 24/7 program, if ordered by the court. This program helps them find the resources they need to be successful in the community. Engelstad states this program has exceeded expectations and has seen amazing strides and slowed down the revolving door.

Lisa Aune, Taylor City Auditor provided information on the water tower in Taylor and that the city bought into it, for 14%, with SW Water. The city now has infrastructure needs to connect to that water tower. AJ Tuck with Moore Engineering addressed the commission regarding the lagoon, lift station and water tower needs in the city of Taylor. The water system is the priority that needs to be addressed, as there are max flow rate issues. They are proposing increasing the line size to provide up to 470 gallons per minute rates. He suggests there are two ways to pay for this project: special assessments or increased user rates, along with a 60% grant from the State Water Commission. If there were no additional funds added from the city or county, the average rate increase would be about \$40.00. Messer asked about using the county to engage other grants and if there are other options available for funding. Tuck offers that in other counties they have received ARPA funding from the county or oil and gas production funds. The total cost of the project is approximately \$2.5 million. There will be a public input meeting in the future.

Shirley Dukart and Irene Schafer representing the Southwest Art Gallery and Science Center stated with the help of the city they have raised over \$800,000 in less than 2 years and have put \$500,000 down on their \$1.5 million building. They are ready to hire a full-time employee who can also be the Capital Campaign Fundraising Chairperson. The potential renter for the basement level fell through and is no longer an option, so they are looking for a new tenant. Asking the commission to pay this salary, or a property tax exemption as they are a 501C3, or a pledge of \$25,000 for five years and they would ask the other counties to make a match. Messer believes they would need to apply to become tax-exempt. Dukart states they are going to offer Dustin Young \$80,000 a year for the employee position with no benefits. Clarys asks about fundraising efforts. Janelle Stoneking responds they have done grant work and will continue to apply, and they have met with many local business owners. Most of the work to date has been done by volunteers and they need someone in a paid role.

**MOTION BY:** Franchuk **SECONDED BY:** Clarys

To give \$80,000 in ARPA funds to this program.

**DISCUSSION:** Marsh states he struggles that we have so many other projects coming up as this is a special interest project. Messer to be tax exempt 4 or 5 political subdivisions needs to sign off and we could sign off on that. Under the current format, he echoes what Bernie said. Dukart says they are ensuring they have 6 months in reserve, and they can't continue as volunteers and the employee's job would be to make the money and keep this running. There will still be some volunteers for the gallery and store. They need money to get up and going. Messer would like to see how other counties participate.

Roll call, Franchuk – aye, Clarys – aye, Messer – nay, White – nay, Marsh – nay, motion failed.

Messer would like to see this come back in 60 – 90 days.

Break 11:15 am to 11:30 am

Jeff Iverson representing the City of Belfield addressed the commission regarding some sold and abated properties and how in the past they would be offered to the city first and that would help them recoup some of the costs they had into the properties. There are 4 lots, 2 lots the city sold, and the city tore down 3 buildings that were not safe. The other 2 lots were sold by the county and the taxes abated. Franchuk states a notice was sent to the city on October 26, 2023, advising of the minimum value. Messer says in the past, it was common when a property came back to the county via a tax deed, that the county would offer it to the municipality for an administrative fee of \$50.00. He continues that there may be thousands of dollars in taxes and there might be some value to the property, and we

would dispose of it for \$50.00, and the city would turn around and sell it for a larger amount. The thought was we were doing a disservice to the taxpayers of the county. We started retaining those properties so when the funds came in then they would get their portion of the taxes. Richard states the notice that is sent out is to hear any objections of a representative of any taxing district regarding the minimum price determined. This notice was emailed to the city's email address. Iverson stated he just wanted clarification on the process. Messer this is similar to a situation in Richardton, except in Richardton we tore down the building and, in this case, you did the demolition prior. Iverson is asking for whatever the county can do to help them with the costs.

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

To reimburse the City of Belfield for \$30,394.34 to cover the cost of the teardown of those buildings, out of the general fund miscellaneous account.

Roll call, all vote aye, motion carried.

Decker presents the Radar Service Contract which contains no changes from last year.

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

To approve radar service contract for the year 2024 with the Atmospheric Resource Board and Stark County.

All voted aye, motion carried.

Decker presents the Memorandum of Understanding for Federal Emergency Assistance with Morton County and there are no changes from the last MOU except for contact information.

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

To sign the MOU with Morton County Emergency Management.

All voted aye, motion carried.

Decker presents her request for tuition reimbursement.

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

To cover the tuition reimbursement request for Alaynea Decker.

All voted aye, motion carried.

Decker discusses the IT Contract – the Dispatch Supervisor Liz Okerson asked if the IT services for dispatch could be moved from Consolidated over to the City of Dickinson's IT department, as they are very familiar with the system. Decker believes the city IT department has a good plan in place to keep dispatch going and she is confident this change would put dispatch in a good place. The contract is \$5,000.00 a year until 2027.

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

To approve the IT contract with the City of Dickinson.

All voted aye, motion carried.

Froelich updated the commission regarding the FCW position that is open, there have been 2 applications received and they have not met the minimum qualifications. He presented the job descriptions and asked if anyone knew of anyone to please pass it on.

Marsh spoke regarding potentially adding home rule to Stark County. He states the benefits are we could add a sales tax, a county administrator, some elected officials could be appointed, could use the sales tax for small community help, and take requests for grants. He is looking to see if the commission thinks this is something we should pursue. Messer states they typically home rule comes with something else, he uses Walsh County Home Rule as an example, and of the 10 or 11 powers authorized, we have most of those already – we don't have the appointment of an auditor and States Attorney, doing ordinance and fees and schedules. He does not believe we need to do it right now and if we are going to do it, we need to have a reason we are doing it. If property tax is eliminated, then he believes this will be a mandated necessity. He believes people will believe it is for sales tax. Messer asks Richard how long it takes to get an item on the ballot. Richard states the Charter would need to be done and then at least 60 days and then it must be presented to the voters at a primary or special election. A petition of 2% of the county or the county commission can put it on the ballot.

Messer provided information on a Resolution Approving Agreement with the County of Stark and Roosevelt Custer Regional Council For Purpose of Regional Livestock Planning Grant Acceptance. This will allow for a planning grant for regions and counties to engage to get a grant to do an analysis of land zoning and land use regulations.

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

To authorize the Resolution for the Regional Council and Planning Grant to be signed by the Chair.

All voted aye, motion carried.

Pearcy presented on behalf of the IT committee a written policy regarding how access is given to our network.

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

To approve the I.S. Access Management Policy.

All voted aye, motion carried.

Clarys provided an update on the needed repairs at the LEC. A bid to repair the sewer lines was received from Central Mechanical for \$345,000 which will repair the domestic water piping on the 2<sup>nd</sup> floor. The LEC Board has a Capital Improvement Fund and there is an approximate \$50,000 shortfall and that does not include any potential contingencies once they start the work.

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

To transfer \$50,000 from the Jail Capital Projects Fund to the LEC Board Capital Improvement Fund.

Roll call, all vote aye, motion carried.

Messer states the ND County Commission Summit is March 19 and 20 and it is very informative and encourages them to attend.

Jeff Ficek with the SW Patriots Coalition advised the commission that at any of their meetings, they provide an opportunity for anyone running for election to present themselves for at least 5 minutes. They meet tonight at the Dickinson Eagles Club and then again on March 5 with State Auditor Josh Gallion speaking, and on April 16 with Public Service Commissioner Randy Christmann speaking - all at 7:00 pm. He was saddened to have the Chair of the Property Tax Petition, Rick Becker, speak a couple of months ago and the only county elected official present was Sheriff Lee as that would have been a great opportunity to question him on his vision of how this is going to work, since this is a critical issue at the county level.

Commissioner White made a **MOTION** to adjourn at 12:20 p.m., Commissioner Clarys **SECONDED**, Adjourned.



Karen Richard, Auditor



Dean Franchuk, Chairman