

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
March 5, 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 (on Zoom), and Cory White. Department Heads Present: Auditor Karen Richard, Sheriff Corey Lee, Emergency Manager Alayne Decker, Park Director Lisa Heiser, Planning and Zoning Steve Josephson, and State's Attorney Amanda Engelstad.

Franchuk presents the agenda and adds Bobby Kubas and Clarys adds Motorola Dispatch contract.

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

To ratify the agenda as amended.

All voted aye, motion carried.

Chairman Franchuk called for approval of the minutes from February 6, 2024.

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

To approve the minutes as presented.

All voted aye, motion carried.

Discussion was held on the bills presented for payment.

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

To approve the bills, pending the Department Head's signature.

Roll call, all vote aye, motion carried.

VENDOR	AMOUNT	VENDOR	AMOUNT
AP - ABM	\$ 2,455.14	EAST END AUTO	\$ 289.95
AP - BALCO	\$ 326.41	ETSYSTEMS INC	\$ 996.22
AP - BORDER STATES ELECTRIC	\$ 303.70	FORUM COMMUNICATIONS	\$ 1,586.29
AP - BOSS OFFICE PRODUCTS	\$ 966.87	GENERAL STEEL & SUPPLY CO	\$ 25.00
AP - BRAUN DISTRIBUTING	\$ 1,198.38	GUARDIAN FLEET SAFETY	\$ 496.85
AP - CHARBONNEAU CAR CENTER	\$ 673.02	HAYNES, MELBYE LAW OFFICES	\$ 625.00
AP - CHS SOUTHWEST GRAIN	\$ 37,583.40	KEAGAN JACOBSON	\$ 25.00
AP - CITY AIR MECHANICAL	\$ 547.59	KIRK ROLL	\$ 3,200.00
AP - CLEAN SWEEP VACUUM	\$ 173.43	KOLLING & KOLLING	\$ 63,754.50
AP - CONSOLIDATED	\$ 13,771.34	LANGUAGE LINK	\$ 98.43
AP - FERGUSON ENTERPRISES	\$ 282.62	LAW ENFORCEMENT SYSTEMS	\$ 124.00
AP - HEART RIVER CLEANING	\$ 500.00	LAWSON PRODUCTS INC	\$ 587.34
AP - HIGHLANDS ENGINEERING	\$ 1,792.50	LEADSONLINE LLC	\$ 4,037.00
AP - IDEMIA	\$ 4,843.00	LIBERTY DOORS LLC	\$ 652.30
AP - INFO TECHNOLOGY	\$ 8,223.33	LINDE GAS & EQUIPMENT	\$ 544.73
AP - J & J OPERATING LLC	\$ 669.12	LUCKY'S GAS STATION	\$ 50.00
AP - J LORAE	\$ 3,770.00	MACKOFF KELLOGG LAW FIRM	\$ 2,000.00
AP - JAM PEST CONTROL	\$ 215.00	MAC'S INC	\$ 52.62
AP - JUST IN GLASS	\$ 737.24	MDU	\$ 17,741.34
AP - KLJ SOLUTIONS	\$ 14,237.00	MENARDS	\$ 739.23
AP - LEC	\$ 183,003.88	MGM RURAL SANITATION LLC	\$ 303.51
AP - LOGO MAGIC	\$ 142.00	MICHAEL MAARTINE	\$ 45.00
AP - NELSON INTERNATIONAL	\$ 1,625.00	MOTOR VEHICLE DOT	\$ 11.50
AP - NORTHERN PLAINS ENG	\$ 70,000.00	NACPRO	\$ 90.00
AP - NW TIRE	\$ 1,810.74	NAPA DICKINSON	\$ 298.03
AP - QUALITY QUICK PRINT	\$ 49.00	ND COUNTY RECORDERS	\$ 200.00
AP - RUNNINGS	\$ 529.10	ND WATER RESOURCES	\$ 4,000.00
AP - SWMCCC	\$ 241,182.48	ND WEED CONTROL ASSOC	\$ 285.00
AP - THOMSON REUTERS	\$ 897.34	NDACTVSO	\$ 370.00

AP - TYLER TECHNOLOGIES	\$ 14,510.56	NDLTAP - UGPTI/NDSU	\$ 400.00
AP - VIKING GLASS	\$ 1,290.00	NDSU DEPT 7030	\$ 852.13
AP - WEST DAKOTA OIL	\$ 7,668.86	NEWBY'S ACE HARDWARE INC	\$ 259.33
AP - WESTLIES	\$ 6,411.68	NITRO-GREEN	\$ 1,630.67
AP - WEX FLEET	\$ 12,183.60	OFFICE OF ATTORNEY GENERAL	\$ 4,391.00
AP - WEX HEALTHCARE	\$ 110.00	PARADIGM ALLIANCE	\$ 100.00
AP - ZONAR	\$ 248.96	PHARM CHEM INC	\$ 3,062.50
APCO INTERNATIONAL	\$ 5,000.00	PRAIRIE LUMBER BEACH	\$ 250.25
ARAMARK	\$ 99.27	RDO EQUIPMENT COMPANY	\$ 3,797.56
AT&T	\$ 36.78	RED ROCK FORD	\$ 46,962.90
AUTO VALUE DICKINSON	\$ 17.45	ROB KELLER	\$ 117.00
BILLINGS COUNTY	\$ 250.00	ROUGH RIDER ELECTRIC	\$ 2,526.18
BISMARCK HOTEL CENTER	\$ 96.30	SAX CUSTOMS LLC	\$ 285.00
BOBCAT OF MANDAN	\$ 172.62	SHRED ND LLC	\$ 588.75
BRADY, MARTZ & ASSOC	\$ 1,320.00	SOUTHWEST WATER	\$ 198.17
BRAVERA INSURANCE	\$ 1,489.00	SRF CONSULTING GROUP	\$ 4,515.06
BUTLER MACHINERY COMPANY	\$ 1,397.70	STEFFAN SAW & BIKE	\$ 34.99
CARQUEST AUTO PARTS	\$ 90.10	SUPERIOR WATER TREATMENT	\$ 45.00
CENTURY LINK	\$ 151.72	SURE SIGN	\$ 420.00
CITY OF BELFIELD	\$ 28.11	TINA O CONNER	\$ 11.00
CITY OF DICKINSON	\$ 35,512.61	T-REX CONOCO INC	\$ 115.50
DICKINSON ANIMAL SHELTER	\$ 520.00	ULINE	\$ 343.03
CITY OF RICHARDTON	\$ 137.58	UNIFORM CENTER	\$ 414.95
COLUMN SOFTWARE PBC	\$ 1,509.30	VERIZON WIRELESS	\$ 2,999.29
DAKOTA BUSINESS SOLUTIONS	\$ 528.99	VISA	\$ 2,733.27
DD - DILLINGER, RANDY C	\$ 28.00	WALMART CAPITAL ONE	\$ 20.78
DD - FROELICH, KURT J	\$ 179.32	XEROX CORPORATION	\$ 304.53
DD - MCCLELLAN, JESSICA	\$ 201.00	GENERAL FUND PAYROLL	\$ 507,463.75
DD - SCHANK, KEITH D	\$ 100.00	HIGHWAY TAX PAYROLL	\$ 181,760.27
DD - VANDOORN, JAKE	\$ 67.00	VETERAN SERVICE PAYROLL	\$ 15,440.62
DD - WAHL, CODY	\$ 28.00	COUNTY AGENT PAYROLL	\$ 7,417.12
DD - WANDLER, NATALIE A	\$ 193.00	WEED CONTROL PAYROLL	\$ 11,943.08
DEPT OF CORRECTIONS	\$ 3,419.76	E-911 PAYROLL	\$ 5,413.84
DIAMOND TRUCK EQUIPMENT	\$ 57.88	COPS GRANTS PAYROLL	\$ 4,778.78
DICKINSON POLICE DEPARTMENT	\$ 1,000.00	VICTIM WITNESS PAYROLL	\$ 8,461.12
DUNN COUNTY TREASURER	\$ 235.00		

Under Park Board Commission Items - Bobby Kubas addressed the commission in opposition to the proposed building on the fairgrounds, as he is opposed to funding it via property tax.

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

Lee presented the February 2024 Sheriff report to the Commission: • Total calls for service 1698 – up from 1446 last year • Traffic stops 205 – up from 190 last year • 5 theft-related calls – up from 4 last year • 424 PR stops – up from 370 last year • 17 Bar checks – up from 11 last year • 21 calls for K-9 • Truck Reg 3 stops / 24 additional CFS • Transports: 15 Prisoner, 16 Court, 1 Juvenile, 0 Medical, 5 MH, 3 Assist • Responded to 12 accidents: 0 pedestrians, 0 fatality, 1 hit & run, 0 injury, and 11 property • 126 Total Arrests and 82 Warrants served • Civil Division: 251 attempts / 28 Subpoenas / 122 Civil Papers / 17 Criminal Papers.

Lee reports Easter Egg Hunts will be held in Richardton on March 23, Dickinson on March 30, and Belfield also on March 30. He reports that the Gladstone City Commission approved the contract, which mirrors the services, fees, and expectations provided by the Sheriff's Department to other small cities in the count. He reports the 2nd Detective started in February and that sex cases have been rising. He also spoke about potential pay increases or benefit increases he would like to see in the next budget, as a retention piece for employees. He also spoke on the possibility of moving into the basement of the old City Hall during the SWMCCC construction.

Heiser was not present to report on County Road.

White presented the surplus items list to be sold at the Scheffield auction.

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

To approve the Stark County surplus items to be sold at auction, per the list.

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 13th with Edward H Schwartz Construction the low bidder at \$823,364.69. Construction intends to start as soon as the weather allows. The project completion date is July 2024.

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

Bid opening is scheduled for March 5th and the engineer's estimate is \$645,000.00.

- **DESIGN PROJECTS: CP-45(22)01 32nd St and 107th Ave NE of Dickinson – Paving Phase**

The county has applied for NDDOT flex funding for this project. The paving plans are complete and ready for a bid opening.

Dustin Dassinger, City Administrator, provided an update on current projects going on in the City of Dickinson. The Baler Building expansion as the current building was not designed for our current population. They are looking to add 16,000 sq feet to the existing building and four thousand sq foot cold storage building. \$9.3 million estimate for this project and anticipated outlay 2024 – 2025. Will be shortly starting a pilot project for business recycling which will launch into the commercial side of recycling.

Dassinger also spoke on the Fire Station Construction/Renovation as the present building is over 100 years old. Currently, there is a feasibility study regarding renovating the current building or new construction. The current foundation is made of rocks. The new facility project cost is approximately \$7 million, and the renovation of the current facility is currently unknown.

John Skluzacek, City Engineer - Community Development Director spoke on the Renaissance Zone extension. This is a tool for community redevelopment and economic investment that incorporates tax incentives for business and residential properties. Historically in our city, it has been run like a freeze on the tax basis for 5 years, which allows those individual property owners to not see a tax increase for 5 years while they are funding the project. He is hoping to come back in April asking the County to extend their support of this for the next 10 years, this extension would also increase the tax freeze from 5 to 8 years. They are meeting with other taxing districts, so they have their support also before it comes before the city. Hoping to go in front of the City Commission in May or early June.

Skluzacek also spoke on Patterson Lake, they have been working on the water quality concerns and constraints, water supply, and some challenges in aquatic habitat. The main goal is to submit for a Bureau of Reclamation grant, which is a WaterSMART grant and that would move it into a project-type focus and define the real challenges with Patterson Lake and how we minimize the phosphorus loading and the sedimentation that occurred over time. The main benefits would be to improve the water quality to reduce algae blooms, overall volume of water, and improve the flood risk. The grant total would be \$400,000 and they are hoping for a 75% / 25% share, but the worst case could be 50% / 50%. If awarded the grant, work could start in early 2025.

Skluzacek also spoke on the Transportation & Comprehensive Plan the city is currently working on. They were awarded a Federal Highway Administration grant for this project. The existing plans were adopted in 2013 and were two separate plans and both need updates. They are under contract as of 2023 and are forecast to be complete in March 2025. Looking for cohesion with the Stark County Comprehensive plan that is currently being worked on. County Planner Josephson is involved and has been doing a lot of legwork on this project.

Skluzacek spoke on the Public Safety Training Center. The ND National Guard is building a new facility out on Energy Drive, which is on City-owned property, and the city is considering a Public Safety Training Center also on City-owned property to the west. They are submitting a Department of Defense grant. This training facility would be for joint use with the ND National Guard. A burn tower and an indoor

shooting range are considerations, along with a pathway that would be a running track. The projected cost is \$6.5 million and if received the grant is 100%.

Linda Carlson, Deputy City Administrator spoke regarding the library expansion moved down to a renovation. The project started in 2018 and the city approved 3 million dollars for the library expansion, along with an application for a \$5 million USDA loan which was based on the 2010 census. The 2020 census updated and we no longer qualify for the USDA loan. The current needs of the library are: move the adult non-fiction upstairs and create a dedicated children's/teen programming space that complies with HB 1205, update the mechanical systems as they are near the end of their lifespans, complete much-needed building repairs, and add more functional office space for employees and make the office and bathroom space ADA compliant. Carlson provided an overview of the proposed renovations. Cost is \$6.2 million, the library foundation board has \$130,000 from fundraising, the city committed \$3 million, and they are hoping for commitments from Stark, Slope, and Billings Counties and Schools, and a Community Loan through the USDA.

Dassinger thanked the commission and extended an invitation to the County Commission to provide an update at a City Commission meeting.

10:00 AM BID OPENING CP-45(24)01 GRADING PROJECT

Franchuk opened the bid opening at 10:00 am. Engelstad and Richard opened the bids and Engelstad reviewed them to ensure all required documents were present. Franchuk states the engineer's estimate for this project is \$645,000.00. Bids are as follows: Martin Construction – \$692,478.16; Baranko Brothers – \$616,334.42; Edward Schwartz Construction – \$731,611.83; Jensen Brothers Construction – \$910,710.60; and Hlebechuk Construction – \$578,592.55. Wood, the project Engineer will review the bids and report back to the commission.

COUNTY ROAD BID OPENINGS: BITUMINOUS PAVEMENT BIDS, EQUIPMENT RENTAL BIDS, AND GRAVEL CRUSHING BIDS

No bituminous pavement bids were received.

Richard and Engelstad opened the bids and Engelstad reviewed them to ensure all required documents were present. Bids were received as follows: Tooz Construction for Rental Equipment; Jurgens Operating LLC for Trucking; East End Auto & Truck Parts, Inc. for Trucking; Ty Newton Fencing for Fencing; ABC Fencing for Fencing; Ruckus Services, LLC for Fencing; Hlebechuk Construction for Equipment Rental; K&T Services for Equipment Rental; Cordova Construction for Equipment Rental; Martin Construction for Equipment Rental; and Fisher Industries for Crushing and Stockpiling Gravel at \$4.08 per cubic yard.

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

To approve the 2024 pricing for the contractors that were submitted.

Roll call, all vote aye, motion carried.

Break 10:23 a.m. to 10:35 a.m.

Woods reports back to the commission that after review he recommends awarding the CP-45(24)01 bid to Hlebechuk Construction.

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

To award the CP-45(24)01 Grading Project bid to Hlebechuk Construction.

Roll-call, all vote aye, motion carried.

Josephson presented RZ 01-24 Gene Praus rezoning from Agriculture to Rural Residential on a parcel located in the SW ¼ of the NW ¼ of Section 30, Township 139 North, Range 97 West containing approximately 5 acres. If approved the property will be developed with a single-family residential structure.

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

To accept the recommendation of the Stark County Planning & Zoning Commission regarding application RZ 01-24 rezoning a portion of land from Ag to Rural Residential located in 30-139N-97W in the SW ¼ of the NW ¼.

All voted aye, motion carried.

Jared Rhode of the Dickinson Fire Department presented an overview of the Alabama Fire College Hazmat Technician Training and its importance. There was a county-wide exercise last year and it was eye-opening to the organizations involved in how they need to be prepared. They would like all departments within the county to be trained at the Hazardous Awareness Training level and they will then hold an operations level training and then move forward to a technician training level. Hoping to have at least a couple of technicians in each of the smaller county departments, it is 50 hours of training

and is nationally certified. Decker states she has grant money to pay for a portion of the class and Dickinson Fire Department will pay for the remainder. She is looking for approval today to pay for the training and then after she has a receipt she can submit for grant reimbursement. Totals \$28,875.00.

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

To pay \$28,875.00 towards the proposed education for hazmat materials to be reimbursed.

Roll call, all vote aye, motion carried.

Decker states she spoke with Lee and inquired about a vehicle the Sheriff's Department has that they are not using and is asking for permission to transfer that vehicle to Emergency Management. They would then use one vehicle for responses and one vehicle for upcoming training.

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

To transfer a vehicle from the Sheriff's Department to Emergency Management for a 2nd vehicle.

All voted aye, motion carried.

Decker presents the Vertiv Battery Backup Service Contract for Dispatch. This is a yearly contract for \$5,848.00 and is taken out of 911 equipment.

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

To move forward with the Vertiv Contract for 911 Dispatch Battery Maintenance for \$5,848.00 to come out of the 911 dispatch budget.

Roll call, all vote aye, motion carried.

Decker also presents the Motorola Solutions Contract, which is the radio system for Dispatch. This increased from \$18,000 to \$23,037, as they are now charging for services they had previously not charged for. This is a one-year agreement.

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

To approve the Motorola Solutions Contract for Dispatch radio for \$23,037.00.

Roll call, all vote aye, motion carried.

Decker reports on the Homeland Security Courthouse Cameras Grant which replaces those cameras. 3 bids were received, and AVI came in the lowest at \$50,234.12. Looking for permission to purchase these cameras and then once paid for the grant will reimburse 100%.

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

To approve the Homeland Security Cameras Grant.

Roll call, all vote aye, motion carried.

White states that just east of the I-94 bridge on Highway 10 East there are a couple of organizations that are asking if the speed limit could be lowered to 45 mph to allow the trucks to safely pull out onto the road. Lee states the church/school there is also getting quite busy, and he suggests going ¼ mile past that. White suggests lowering from east of the bridge to 107th down to 45 mph. Lee suggests going ¼ mile east of 107th.

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

To reduce the speed limit for just east of the bridge on Highway 10 East to ¼ mile east of 107th to 45 mph.

All voted aye, motion carried.

Franchuk addresses the lots that are in the middle of the Shinagle wheat field and that they have been sold. Richard states the total for the 2 parcels taxes of \$117.18 that need to be abated out. Messer states these are not technically abatements, but instead a discharge of taxes.

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

To discharge the tax amount of \$117.18 on those two particular parcels.

Roll call, all vote aye, motion carried.

Commissioner Marsh made a **MOTION** to adjourn at 11:02 a.m., Commissioner White **SECONDED**, Adjourned.



Karen Richard, Auditor



Dean Franchuk, Chairman