

PROCEEDINGS OF THE FOSTER COUNTY BOARD OF COMMISSIONERS

September 6th, 2022

At 3:30pm, Chairman Copenhaver called the Foster County Commission meeting to order. Roll call included Commissioner Becky Hagel, Commissioner Alan Scanson, Commissioner David Utke, Commissioner Scott Beumer and Commissioner Pat Copenhaver. Also, present were Interim Auditor Ellen Roundy, Road Superintendent Nate Monson, Foster County States Attorney Kara Brinster, and Foster County Independent Reporter Leasa Lura.

The meeting began with approval of the minutes. Commissioner Hagel made a motion to approve the minutes of the August 16<sup>th</sup>, 2022, regular meeting with one correction, the August 18<sup>th</sup>, 2022, special meeting and the August 30<sup>th</sup>, 2022, special meeting seconded by Commissioner Scanson. All voted aye and the motion passed.

Ellen Roundy, Interim Auditor, presented two lost check affidavits. One for Justin Johnson and one for Nickolas Oster to be approved and included with the bills. Commissioner Hagel made a motion to approve the bills including the two lost check affidavits, seconded by Commissioner Utke. All voted aye and the motion passed.

34175	AMAZON CAPITAL SERVICES, INC.	13.41
34176	*** VOID *** ARROWWOOD PRAIRIE CO-OP	900.00
34177	AUTO VALUE PARTS STORE	9.98
34178	BESSETTE MOTORS, INC.	26.40
34179	BRINSTER LAW, P.C.	121.33
34180	C & J OIL COMPANY	7,456.51
34181	CARRINGTON MOTORS INC	448.48
34182	CENTRAL BUSINESS SYSTEMS	125.00
34183	CENTRAL CITY H2O+	13.50
34184	CENTRAL CITY LUMBER INC.	19.18
34185	COMPUTER EXPRESS	238.98
34186	CRAIG WIESZ	176.68
34187	DAKOTA DUST-TEX INC	119.70
34188	DEPARTMENT OF TRANSPORTATION	7,118.69
34189	ENVELOPES.COM	485.22
34190	FC SOIL CONSERVATION DISTRICT	202.34
34191	FOSTER COUNTY INDEPENDENT	629.50
34192	FOSTER COUNTY TREASURER	404.50
34193	KINETIC LEASING, INC.	16,658.02
34194	LEAF	64.00
34195	MATTHEW BENDER & CO., INC.	124.39
34196	ND ASSOCIATION OF COUNTIES	420.00
34197	ND DEPT. OF TRANSPORTATION	5.00
34198	NDACO RESOURCES GROUP	16,181.79
34199	NICKOLAS OSTER	84.00
34200	ODP BUSINESS SOLUTIONS, LLC	216.98
34201	PATRIOT FUELS	52.19
34202	RACHEL STOKES	202.30
34203	RAMADA BISMARCK HOTEL	172.80
34204	RANDY'S ELECTRIC	573.78
34205	RICK'S WHOLESALE TIRE INC.	268.00
34206	RUNNING'S SUPPLY, INC.	456.37
34207	STUTSMAN CO. CORRECTION CENTER	1,575.00
34208	US RECORDS MIDWEST LLC	1,817.59
34209	VETERANS INFORMATION SERVICE	65.00
34210	WILLIAM J GALE	497.38
34211	JUSTIN JOHNSON	77.47
34212	NICKOLAS OSTER	122.50

Commissioner Copenhaver asked to add shop buildings under Road Superintendent Nate Monson. Commissioner Utke made a motion to approve the agenda with the addition seconded by Commissioner Scanson. All voted aye and the motion passed.

Old Business

No new business reported for the gravel pit.

Commissioner Hagel stated there is no update with NEXUS contract. She would like to wait until the EM position is decided. Commissioner Hagel will look into the grants discussed.

Commission Policy Updates will remain on the agenda until taken care of, nothing new to report.

### New Business

Nate Monson, Road Superintendent, approached the BOCC with an update from the Road Department. There have been no repairs to equipment. A total of 1.69' rain for the month of August. They have durapatched 30 times so far. Monson talked with Gilbertson's and the flared ends should be installed on the McHenry washout by next week. The Road Department will meet with the State DOT at 8:00 AM on Monday, October 3<sup>rd</sup>, 2022, at the NDACo conference. Monson has sent ads to the paper for mowing highway ditches. The department is starting to prep for winter with the purchase of sand and will order salt at the end of the month.

Commissioner Copenhaver has spoken with Monson regarding the county shop buildings. There is some damage in the four corners. The BOCC will plan to have a mason look at it and will add to the capital improvement list.

Foster County resident, Mike Murphy, approached the board about 1<sup>st</sup> St SE (Murphy Road). He's received concerns on how rough the road is. Murphy brought up raising taxes to improve the road as he doesn't want to see the county go backwards. Commissioner Copenhaver spoke on how many paved miles Foster County has (91) and the cost of maintaining those paved roads. Commissioner Hagel discussed the five-year plan the county has with Wold Engineering and the county may be looking at re-milling roads that are currently paved. Commissioner Scanson and Commissioner Utke talked about the meeting they attended and that the county will be receiving information from the NDDOT regarding traffic counts. Discussion was had on potential options for the road and the cost of materials and labor today verses when the road was first paved. Murphy urged the BOCC to act sooner rather than later.

Craig Wiesz, Building Maintenance, informed the BOCC that it is the recommendation of Interstate Engineering to replace all twenty-five hoses on the generator. He will work on getting a quote and will plan on replacing them in 2023.

Doug Zink and Paul Skadberg with the Foster County Water Board, along with their Attorney, Kale Van Bruggen, and APEX Engineer, Jennifer Malloy via phone, approached the board about a stream study performed and the next steps on the project. The Assessment Drain #1 project will run from Donnie Theis' to Kelly Creek. All construction will follow the NDDOT standards. They are looking at inserting three sixty-inch corrugated culverts. This project will need to be voted on by the landowners affected. If it passes, the cost will be split between the Department of Water Resources incurring 45% of the total project cost. The County is obligated to 40% of the remaining 55% of the project and those that are benefited from the drain will also be assessed. They are estimating the crossing on the highway to cost around \$175,000. This would make the county's share roughly \$38,500. Malloy with APEX Engineering is asking if the BOCC would be willing to go from 40% to 60% estimating their share to be \$57,750. Discussion was had on how this project impacts those downstream. The Water Board is obligated to look at downstream impacts and how to mitigate those impacts. Kale Van Bruggen spoke about the legality of the process. They will have a public hearing on September 29<sup>th</sup>, 2022, at 8:00 AM in the Chieftain Navajo Room, the landowners will be mailed a packet of the engineering report, land assessed, roster to be taxed, max proposed tax, hearing notice and ballot of whether they are in favor of the project or not. Information will be available in the Auditor's office for the public. Commissioner Utke asked to table this until the next meeting when they have a better idea of costs.

Ellen Roundy, Interim Auditor, brought a raffle for the Carrington youth football program to be approved. Commissioner Hagel motioned to approve the raffle, seconded by Commissioner Scanson. All voted aye and the motion passed. Roundy also presented a contract for propane from Arrowwood. Commissioner Hagel asked to have the number of gallons verified as she has heard of errors and then the BOCC will look at approving.

Interim Auditor Roundy also asked the BOCC for approval to transfer obsolete funds to appropriate funds that are current. Commissioner Hagel made a motion to approve the transfer of negative and positive amounts for obsolete funds be transferred to the appropriate fund, seconded by Commissioner Beumer. All voted aye and the motion passed.

Commissioner Hagel stated that they will look at the extension of expiring mills closer to the primary election in 2024. She stated as far as county mills go, they only question moving forward will be that for the Historical Society. The BOCC discussed the questions posed for the ballot. State's Attorney Brinster specified it should just state the mill rate and not the dollar amount as it will fluctuate from year to year. The Foster County Board of Commissioners resolves the following:

#### **RESOLUTION NO. 2022-01 Historical Society Levy**

WHEREAS, The Foster County Board of Commissioners hereby certifies that the following is a true and correct copy of a resolution duly adopted at the regular meeting held on September 6<sup>th</sup>, 2022, and;

WHEREAS, A quorum of the Board of County Commissioners was present and voting throughout, and that such resolution has not been modified, rescinded or revoked, and is at present in full force and affect, and;

WHEREAS, The Foster County Historical Society at their August 9<sup>th</sup>, 2022, meeting approved a motion to request a ballot question for the November General Election be approved by the Foster County Board of Commissioners authorizing a mill increase of one-half (0.50).

RESOLVED, that the Foster County Commission hereby declares authorization for the following question be added to the General Election held November 8<sup>th</sup>, 2022:

“Shall the Foster County Commission be authorized to levy a one half (0.50) mill increase for the historical works to support the maintenance and upkeep of

the Foster County Historical Society, the Foster County Museum and the Putnam House?”

Yes – A “yes” vote means you approve the one half (0.50) mill increase.

No – A “no” vote means you reject the one half (0.50) mill increase.

The resolution was made by Commissioner Beumer, seconded by Commissioner Scanson. All voted aye and the resolution passed.

Commissioner Utke informed the BOCC that EAPC has what they need and will be working on getting more information for upcoming building projects. Commissioner Hagel stated that Foster County will no longer look at switching to NDPHIT in 2023. Commissioner Utke attended an Ambulance building meeting. The Ambulance went to corporate with some questions and will more than likely have a special meeting to discuss concerns. Commissioner Scanson provided an update from the NDSU community garden, it was a success. There were twelve plots with a total of ten people helping maintain the garden. Commissioner Hagel attended NDACo board meeting where they reviewed their strategic planning. She said there were some great topics discussed and she gave the board praises for how they handle wages with employees. There is a potential in the future if legislation is passed that counties can contract with the state for Emergency Management services. She also mentioned that she will work with the Central Prairie Zone director on Children In Need Of Services (CHINS) to determine shelters available for the Sheriff to transport children in need of services. Commissioner Hagel also recommended to the BOCC that they look at adapting Green Light Operation resolution. This is in support of Veterans. The BOCC asked interim auditor Roundy to make changes to better reflect wording for Foster County and they will look at approving at the next meeting.

With no further business, Commissioner Copenhaver adjourned the meeting at 5:38pm.

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Ellen Roundy  
Foster County Interim Auditor

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Patrick Copenhaver, Chairman  
Board of County Commissioners