

PROCEEDINGS OF THE FOSTER COUNTY BOARD OF COMMISSIONERS

November 15th, 2022

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

The meeting began with approval of the minutes. Commissioner Utke had one change to the November 14th, 2022, special meeting. Commissioner Scanson made a motion to approve the minutes of the November 1st, 2022, meeting, and November 14th, 2022, meeting with one change, seconded by Commissioner Hagel. All voted aye and the motion passed.

Commissioner Utke stated that the Tower Maintenance bill from Jamestown Communications was included with these bills and that they will purchase the batteries from NAPA and remove the battery cost from the Jamestown Communications bill. Commissioner Hagel made a motion to approve the bills, seconded by Commissioner Scanson. All voted aye and the motion passed.

34545	ARROWWOOD PRAIRIE CO-OP	1,490.10
34546	ASTORIA HOTEL AND EVENT CENTER	194.92
34547	BALCO UNIFORM CO., INC.	301.90
34548	BECKY HAGEL	45.00
34549	BOOTE SEPTIC SOLUTIONS	125.00
34550	BRIGID GLENNEN	45.00
34551	BUTLER MACHINERY COMPANY	2,897.73
34552	C & J OIL COMPANY	8,450.52
34553	CENTRAL CITY H2O+	22.50
34554	DACOTAH PAPER COMPANY	73.89
34555	DAKOTA DUST-TEX INC	99.95
34556	FOSTER COUNTY INDEPENDENT	3,359.35
34557	GERRELLS	740.00
34558	HOLLY N. ZIEMAN	45.00
34559	INFORMATION TECHNOLOGY DEPT.	989.35
34560	INTERGRAPH CORPORATION SGI DIVISION	367.56
34561	JAMESTOWN COMMUNICATIONS INC.	1,073.00
34562	JUSTIN JOHNSON	230.81
34563	KARA BRINSTER	1,148.42
34564	LEEVEER'S FOODS	41.56
34565	MAERTENS WELDING AND MACHINE COMPANY	258.75
34566	NACVSO	250.00
34567	NAPA AUTO PARTS	148.31
34568	NATIONAL ASSOCIATION OF COUNTIES	450.00
34569	ND ASSOCIATION OF COUNTIES	5,992.00
34570	ND COUNTY COMMISSIONERS ASSOCIATION	1,650.00
34571	ND STATE RADIO COMMUNICATION	16,850.72
34572	NDACO RESOURCES GROUP	1,230.20
34573	NORTH DAKOTA NEWSPAPER ASSOCIATION	175.20
34574	ODP BUSINESS SOLUTIONS, LLC	23.17
34575	OFFICE OF ATTORNEY GENERAL- 1250	645.00
34576	PAT BIEL TRUCKING INC.	300.00
34577	PATRIOT FUELS	65.01
34578	PRAIRIE INN RESTAURANT	42.00
34579	QUADIENT FINANCE	1,000.00
34580	RANDY'S ELECTRIC	287.09
34581	RUNNING'S SUPPLY, INC.	739.63
34582	SIDWELL COMPANY	97.50
34583	STUTSMAN CO. CORRECTION CENTER	2,925.00
34584	TOM GILBERTSON & SONS	975.00
34585	TWO RIVERS PRINTING	83.14
34586	USPS	108.00

Commissioner Beumer made a motion to approve the agenda, seconded by Commissioner Scanson. All voted aye and the motion passed.

Old Business

No new business reported for the gravel pit. Commissioner Utke is working with Emergency Manager Aaron Devereaux organizing duties that need to be completed for the position. Discussion was had on clarification of the culvert policy. No changes to the policy need to be made, but Commissioner Utke would like to see clarification included for the culvert policy. Commissioner Scanson motioned to update the policy with the clarification, seconded by Commissioner Utke. All voted aye and the motion passed. The BOCC discussed the township road maintenance discount program allocation. Numbers were provided to increase the hourly rate for contracted amounts from \$75.00 per hour to \$100.00 and \$125.00 per hour. The BOCC feel it is important to look at the discounts and the hourly rate and compare to see what would be the most beneficial for townships. Commissioner Scanson made a motion to increase the contracted hourly rate for road maintenance to \$110.00 per hour and continuing with the discount allocation program, seconded by Commissioner Utke. All voted aye and the motion passed. Commissioner Utke made a motion to increase the non-contracted rate for road maintenance to \$150.00 per hour, seconded by Commissioner Scanson. All voted aye and the motion passed.

New Business

Danielle Koepplin, Clerk of Court, approached the board regarding the state clerk position update. She provided the draft bill that legislation currently has. She asked for support from the BOCC to attend upcoming meetings regarding the issue. Commissioner Scanson urged the BOCC to get ahold of their representatives and voice their concerns with the state taking over the clerks.

Interim Auditor Roundy presented the BOCC with a resolution: Opposition to legislation making Foster County Clerk of Courts' office a State Office.

WHEREAS, there is legislation being proposed pertaining to the transition of contract county clerk services to state funding and other legislative priorities;

WHEREAS, such legislation would make the Foster County Clerk of Courts' Office a state agency and the employees thereof state employees, which would take away local control and governance of such office and employees;

WHEREAS, the Board of County Commissioners for Foster County, North Dakota, is desirous of keeping the Foster County Clerk of Courts' Office as a county office.

RESOLVED, that the Foster County Board of Commissioners hereby declares the following resolution be adopted as follows:

That the Board of Foster County Commissioners directly opposed the passage of legislation pertaining to the transition of contract county clerk services to state funding and other legislative priorities; and

That the Board of Foster County Commissioners resolves to keep the Foster County Clerk of Courts' office a county office.

The resolution was made by Commissioner Hagel, seconded by Commissioner Utke. All voted aye and the motion passed.

Interim Auditor Roundy presented the BOCC with a mowing contract for the Historical Society and Fair Board. When reviewing minutes from 2018 a previous agreement was discovered with no payment received by the county for mowing services. Commissioner Hagel made a motion to approve the mowing contract and send invoices for prior years work, seconded by Commissioner Scanson. All voted aye and the motion passed. Roundy updated the BOCC with the delinquent tax sale that occurred that morning. Two of the three properties were sold. Roundy also asked for approval to advertise the Request for Proposal (RFP) for engineering of project BRJ-0016(019) PCN 23707. Commissioner Scanson made a motion to approve advertising of the RFP, seconded by Commissioner Utke. All voted aye and motion passed.

Sheriff Justin Johnson approached the BOCC for approval to order his squad vehicle for next year. With trade in value, the cost is estimated to be \$16,300. Commissioner Utke made a motion to order the vehicle, seconded by Commissioner Scanson. Roll call vote included:

- Commissioner Hagel – aye
- Commissioner Beumer (via phone) – aye
- Commissioner Copenhagen – aye
- Commissioner Scanson – aye
- Commissioner Utke – aye

motion passed. Johnson also presented two Crown Victoria's as options to replace the spare Expedition. Commissioner Utke made a motion to allow Johnson to proceed with the purchase of a Crown Vic, seconded by Commissioner Hagel. Roll call vote included:

- Commissioner Hagel – aye
- Commissioner Copenhagen – aye
- Commissioner Scanson – aye
- Commissioner Utke – aye

motion passed.

The BOCC jumped down to the building projects and preliminary drawing review as EAPC would be available until 4:30pm for questions. Commissioner Utke stated that some of the questions the BOCC had like telephone system

upgrade, thermostat placement, and WIFI locations can be determined at a later time. He stated the BOCC can approve the preliminary drawings as presented and give EAPC the go ahead to complete the work. Commissioner Scanson made a motion to approve the preliminary drawings as presented seconded by Commissioner Hagel. All voted aye and the motion passed.

Nate Monson, Road Superintendent, approached the BOCC with an update from the Road Department. To date, there has been twenty-one inches of total snow. Inventories of the shop have been given to Interim Auditor Roundy and Farmers Union Insurance. Monson provided the BOCC with a proposal for NUVO crack seal material from MidStates. Commissioner Scanson made a motion to approve the proposal, seconded by Commissioner Utke. Roll call vote included:

- Commissioner Hagel – aye
- Commissioner Copenhaver – aye
- Commissioner Scanson – aye
- Commissioner Utke – aye

motion passed. Monson let the BOCC know that one employee will be retiring in 2023. He asked for approval to advertise for the position, so they have time to train a new hire before the employee leaves. Commissioner Hagel made a motion to advertise for the position seconded by Commissioner Scanson. All voted aye and the motion passed.

Residents present for the discussion on the 66th Ave NE speed limit was Mike and Shaunette Koenig, Jim Sherman, Clinton Sherman, Billi Sinkler and Jim Harmon. States Attorney Kara Brinster read a memo regarding the speed limit on 66th Ave NE.

Pursuant to NDCC 39-09-03, the county commission may alter the maximum speed limit based upon an engineering and traffic investigation.

There may not be more than six alterations per mile and the difference between adjacent limits may not be more than 10mph.

Commissioner Utke spoke that at the prior meeting the BOCC wanted Brinster to weigh in on this. He also has had a conversation with Karen Evans, Foster County Planning and Zoning. The BOCC recognizes the concerns but must know how a decision that they make now would affect other decisions. Commissioner Utke took the time to drive out to 66th Ave NE and compare to other similarities in the county. Discussion was had between the BOCC and the residents. The BOCC would like to see what planning and zoning come with before making any decision.

Roundy had presented the BOCC with an updated quote for the door security system. The BOCC had a few more questions they'd like answered before moving forward. Commissioner Utke and Commissioner Scanson were able to do a walk through of the Ambulance building. Commissioner Hagel is going to contact the lumberyard to get prices for new flooring and doors. Commissioner Scanson made a motion to accept Paul Skadberg's resignation from the Foster County Water Board seconded by Commissioner Utke. Further discussion the BOCC had was that they will need to find a replacement for the Water Board. All voted aye and the motion passed to approve the resignation. Commissioner Hagel attended a Board of Health (BOH) meeting. The BOH is currently dealing with septic issues of individuals not following the correct ordinances when placing septic systems. States Attorney Brinster plans to address the matter with the individuals. Commissioner Hagel commented that the new prevention coordinator, Robin Simonson, is doing a great job. The students really enjoy her in the classroom and the teachers are happy with her work. The BOCC will be meeting with Townships November 16th.

With no further business, Commissioner Copenhaver adjourned the meeting at 5:46pm.

Ellen Roundy
Foster County Interim Auditor

Patrick Copenhaver, Chairman
Board of County Commissioners