

PROCEEDINGS OF THE FOSTER COUNTY BOARD OF COMMISSIONERS

August 1st, 2023

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

The meeting began with approval of the minutes for the July 18th, 2023, regular meeting and July 26th, 2023, Special Meeting. Commissioner Utke motioned to approve both sets of minutes seconded by Commissioner Copenhaver. All voted aye and the motion passed.

Commissioner Hagel motioned to approve the bills, seconded by Commissioner Utke. All voted aye and the motion passed.

35900	AMAZON CAPITAL SERVICES, INC.	57.68
35901	ANDREW S. MARQUART	288.00
35902	BARNES COUNTY CORRECTIONS	935.00
35903	BESSETTE MOTORS, INC.	82.06
35904	CENTRAL CITY H2O+	13.50
35905	CENTRAL CITY LUMBER INC.	575.58
35906	COMPUTER EXPRESS	1,200.00
35907	CRAIG WIESZ	48.47
35908	ELLEN ROUNDY	30.80
35909	HAILEY BACHMEIER	160.29
35910	JAMESTOWN COMMUNICATIONS INC.	241.60
35911	JOHN DEERE FINANCIAL	1,498.67
35912	JUSTIN JOHNSON	23.37
35913	KARA BRINSTER	172.92
35914	MAINSTAY SUITES	264.60
35915	NAPA AUTO PARTS	1,737.46
35916	ND ASSOCIATION OF COUNTY AND TRIBAL VSO	120.00
35917	ND DEPARTMENT OF TRUST LANDS	250.00
35918	NDACO RESOURCES GROUP	70.00
35919	NORMONT EQUIPMENT CO.	1,555.42
35920	ODP BUSINESS SOLUTIONS, LLC	332.93
35921	SOFTWARE INNOVATIONS	1,100.00
35922	THE DETAIL GUY	200.00
35923	TOM GILBERTSON & SONS	10,728.00
35924	UNIFORM CENTER	131.50

Commissioner Copenhaver asked to add ROW Bridge under commissioner discussion. Commissioner Copenhaver made a motion to approve the agenda with the addition, seconded by Commissioner Utke. All voted aye and the motion passed.

Old Business

The gravel pit will be put out for bid. A notice will be placed in the Foster County Independent, the Foster County website and available in the Auditor's office. The bid opening will take place in the Foster County Commissioner Room at 3:00 pm on Tuesday, September 5th, 2023.

New Business

Nate Monson, Road Superintendent, provided the BOCC with an update from the Road Department. A new culvert will be replaced on 11th St, going from 18" to 24". Rain total for July was 2.11". Garney Construction had the Bordulac road completed on July 29th. The McHenry highway should be completed by August 5th. Monson asked the BOCC for approval to have the aluminum box from the 1983 truck to one of the new plow trucks for \$2,200. Commissioner Copenhaver motioned to approve the work to be done seconded by Commissioner Utke. Roll call vote included:

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

motion passed. Auditor Roundy stated that the two part time employees that help the road department are currently getting two different wages. She asked that both be receiving the same dollar amount as they both run the same equipment. Commissioner Copenhaver motioned that moving forward both part-time employees be receiving the same hourly rate of pay, seconded by Commissioner Hagel. Roll call vote included:

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

motion passed.

Tom Erdmann, City of Carrington Mayor, approached the BOCC regarding the contract for assessing with the county. Commissioner Hagel stated that the county now has two employees that meet the state requirements for assessing. Commissioner Utke doesn't want to see an increase in the contracted dollar amount but would be hesitant to lower it without seeing the numbers from the Tax Director. The BOCC made no change to the assessing fee for 2024.

Auditor Ellen Roundy provided the BOCC with the preliminary budget. Roundy was able to reduce the general fund from last year just shy of 7.5%. Commissioner Utke motioned to approve the preliminary budget, seconded by Commissioner Hagel. All voted aye and the motion passed. Roundy asked the BOCC to consider moving the deputy auditor from Grade 11 to Grade 13 (same step) with a title of Chief Deputy Auditor/Treasurer and back paying her for her hours worked in the Treasurer's office. She stated that Deputy Bachmeier was tremendous in keeping the office in line while Roundy worked from home on maternity leave. She has also picked up many of the day-to-day treasurer duties in the former Treasurer's absence. Commissioner Hagel motioned to approve moving the deputy auditor from Grade 11 to Grade 13 with the title of Chief Deputy Auditor/Treasurer and paying the difference for hours worked in the last two weeks seconded by Commissioner Copenhaver. Roll call vote included:

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

motion passed. Roundy presented the BOCC with a resolution to combine, consolidate and appoint the office of Auditor/Treasurer.

WHEREAS, the Board of County Commissioners of Foster County, a political subdivision of North Dakota has, pursuant to the authority granted generally in NDCC Chapter 11-10.2 it is permissible to re-designate the office of the Foster County Auditor/Treasurer from that of an elected position to that of an appointed position and specifically in §NDCC 11-10.2-02(1) intends to combine the offices of Auditor and Treasurer for Foster County; and

WHEREAS, the analysis of the two offices, and the plan for consolidating and combining the offices, which follows, has been carefully reviewed and a determination made by the Board of County Commissioners for Foster County that such consolidation and combination would improve effectiveness and efficiency in fulfilling the statutory obligations assigned to the Auditor and Treasurer of the county;

WHEREAS, the proposed plan will include the appointment of the office rather than an elected position. The Foster County Commission recognizes the need to keep qualified, experienced, knowledgeable and technically competent individuals in key county positions;

NOW, THEREFORE, be it resolved, effective September 1, 2023, and in accordance with the details of the following plan, the office of Foster County Auditor and Foster County Treasurer be consolidated, combined, and appointed; and

BE IT FURTHER RESOLVED, that a copy of this Resolution and accompanying plan be published once each week for two consecutive weeks, with public hearings thereon being scheduled for 9:00 a.m. and 7:00 p.m. on August 28th, 2023 at the Foster County Courthouse.

The resolution was made by Commissioner Utke and included the proposed plan with publication in the Foster County Independent, seconded by Commissioner Hagel. All voted aye and the motion passed. Commissioner Hagel stated that many counties do have combined Auditor/Treasurer offices after a retirement or resignation. The BOCC discussed the Auditor and Interim Treasurer Roundy wages. Commissioner Copenhaver motioned to approve an increase of four percent for the Auditor/Interim Treasurer wage effective August 1, 2023, seconded by Commissioner Utke. Roll call vote included:

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

motion passed. Roundy asked the BOCC to approve corrections necessary to funds for past Deferred Compensation payments. Commissioner Hagel motioned to approve the corrections, seconded by Commissioner Copenhaver. All voted aye and the motion passed.

Kara Brinster, Foster County States Attorney, approached the BOCC for an extension of her part-time help for an Assistant State's Attorney through the Wick trial. The Attorney General's office would normally provide help with smaller counties who have larger cases, are short staffed and cannot provide adequate help. Commissioner Utke stated it's the BOCC job to provide employees tools to do their job and motioned to continue the part time help in the State's Attorney's office until a plea deal is reached or the end of the trial, whichever comes first, seconded by Commissioner Copenhaver. Roll call vote included:

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

motion passed. Auditor Roundy will draft a letter for the BOCC to send to the AG's office requesting any help available.

Roundy removed Sheriff Johnson from the agenda.

Commissioner Copenhaver stated an individual approached him regarding the ROW bridge. Commissioner Scanson will speak with the individual over any questions or concerns. Commissioner Utke let the BOCC know there is a preliminary flood map consultation meeting that Emergency Manager Darlene Thomas is unable to attend. Commissioner Utke and Commissioner Scanson will coordinate who will attend on behalf of Foster County. Roundy provided the BOCC with last year's contract for property storage agreement for Juanita Lake. There were few changes necessary that she will make. Roundy asked the BOCC to review a ballot question for the Road Levy. The County currently levies 10 mills under Farm to Market and two under County Road for a total of 12 mills. The Farm to Market levy will be expiring the end of 2024. The BOCC can levy 10 in County Road with no vote and up to 30 mills with a vote so they will have to look at replacing the two mills needed with an election question. Commissioner Utke provided the BOCC with information from EAPC. States Attorney Brinster did send information off to the Ambulance Board and has not heard anything back yet. Commissioner Hagel had a human service zone meeting. The board hired a new eligibility worker in the Wells office and have one more position they are interviewing for. Commissioner Utke stated they will be having an LEPC meeting sometime in August. Commissioner Utke provided the BOCC with items that need to be addressed on the reoccurring calendar. Roundy will provide notice for when the final budget hearing is set.

With no further business, Chairman Scanson adjourned the meeting at 5:38 pm.

Ellen Roundy
Foster County Auditor

Alan Scanson, Chairman
Board of County Commissioners