

PROCEEDINGS OF THE FOSTER COUNTY BOARD OF COMMISSIONERS

February 6th, 2024

At 3:30pm, Chairman Utke called the Foster County Commission meeting to order. Roll call included Commissioner Scott Beumer, Commissioner Becky Hagel, Commissioner David Utke, Commissioner Pat Copenhaver, and Commissioner Alan Scanson. Also present was Auditor/Treasurer Ellen Roundy, Road Superintendent Nate Monson, Michael Rivinius, Wold Engineering, and Foster County Independent reporter Leasa Lura.

The meeting began with approval of the minutes for the January 16th, 2024, regular meeting and January 24th, 2024, special meeting. Commissioner Utke and Commissioner Scanson noted changes to the special meeting minutes. Commissioner Scanson motioned to approve the minutes with the changes, seconded by Commissioner Copenhaver. All voted aye and the motion passed.

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

36676	701 WASH	200.00
36677	AMAZON CAPITAL SERVICES, INC.	42.06
36678	AUTO VALUE PARTS STORE	170.13
36679	AVID HAWK, LLC	35.00
36680	BALCO UNIFORM CO., INC.	259.00
36681	BARNES COUNTY CORRECTIONS	3,283.96
36682	BERTS TRUCK EQUIPMENT OF MHD INC	2,558.04
36683	BESSETTE MOTORS, INC.	571.48
36684	BRINSTER LAW, P.C.	152.22
36685	C & J OIL COMPANY	3,113.67
36686	CARRINGTON MOTORS INC	2,971.04
36687	CENTRAL BUSINESS SYSTEMS	118.17
36688	CENTRAL CITY H20+	49.50
36689	COMPUTER EXPRESS	11,684.85
36690	CRAIG WIESZ	59.63
36691	DELUXE	391.26
36692	EAPC ARCHITECTS ENGINEERS	94,749.92
36693	ELLEN ROUNDY	49.90
36694	FOSTER COUNTY INDEPENDENT	729.85
36695	FOSTER COUNTY TREASURER	1,334.00
36696	JK DESIGNS	1,050.00
36697	JUSTIN JOHNSON	234.30
36698	KARA BRINSTER	578.00
36699	NAPA AUTO PARTS	199.01
36700	ND ASSOCIATION OF COUNTIES	220.50
36701	ND COUNTY RECORDERS ASSOCIATION	200.00
36702	ND STATE RADIO COMMUNICATION	17,103.54
36703	NDACO RESOURCES GROUP	1,218.50
36704	ODP BUSINESS SOLUTIONS, LLC	386.73
36705	OK TIRE STORE	221.31
36706	PATRIOT FUELS	274.11
36707	RDO EQUIPMENT COMPANY-BISMARCK	3,300.00
36708	SCHOCK'S SAFE & LOCK SERVICE, INC.	825.00
36709	SIDWELL COMPANY	510.00
36710	SOFTWARE INNOVATIONS	2,250.00
36711	USPS	120.00
36712	VANGUARD APPRAISALS, INC.	1,100.00
36713	WILLIAM J GALE	134.63

Commissioner Scanson motioned to approve the agenda, seconded by Commissioner Copenhaver. All voted aye and the motion passed.

Old Business

No old business to report.

New Business

Nate Monson, Road Superintendent, provided the BOCC with an update from the Road Department. Discussion included concerns on road conditions and road restrictions going into effect sooner this year due to the milder winter. Commissioner Scanson made a motion to allow the Road Superintendent and Chairman to discuss and decide road restrictions, seconded by Commissioner Beumer. All voted aye and the motion passed. The road department will also plan to rent a crack sealer for \$5,900/month. They can also rent on a weekly basis if the work doesn't take a full month and the department will plan to start the work mid-March. Commissioner Scanson

motioned to approve the rental of a crack seal unit for the road department, seconded by Commissioner Copenhaver. Roll call vote included:

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

motion passed.

Michael Rivinius, Wold Engineering, provided an update on the bridge removal project in Foster County. Due to low funds available, the bid opening for the Old Wright Bridge will be moved from April to December with construction to begin in 2025. Rivinius also provided the outline for the Chip Seal project on the McHenry Highway. Commissioner Scanson motioned to approve the bid project with a bid opening date of March 19th at 3:00 PM, seconded by Commissioner Copenhaver. All voted aye and the motion passed.

Auditor/Treasurer Ellen Roundy presented a raffle permit for FFA. Commissioner Beumer motioned to approve the permit, seconded by Commissioner Copenhaver. All voted aye and the motion passed. Roundy stated that there have been a few calls on the delinquent properties that did not sell at the latest tax sale in November of 2023. She reviewed what interest and penalties would be incurred until the delinquent tax sale in November of 2024 and asked for approval to increase the minimum sale price for parcel #04069000 from \$110.00 to \$115.00 and parcel #04157000 from \$60.00 to \$61.00 to reflect the interest and penalty that will be incurred this year. Commissioner Scanson motioned to approve the new minimum sales prices, seconded by Commissioner Copenhaver. All voted aye and the motion passed. Roundy presented previous years corrections to FICA/Medicare approved by the State Auditor's office. She also asked for approval to transfer funds from fund 2930 to the general fund, and transfers from the general fund to the Health Insurance and Social Service funds to cover negative balances. Commissioner Hagel motioned to approve the work needed to be done to complete the corrections, along with the transfers, seconded by Commissioner Scanson. Commissioner Hagel noted that by having Auditor/Treasurer Roundy complete this work, it saved the county considerable costs with the ongoing audit. All voted aye and the motion passed.

Chris Thomas, EAPC, joined the meeting via phone. Discussion included GypCrete that had been used as a fix in years past on the basement floor. It was used to level out the entire floor and should not have been used as a solution for the issue back in the day. Joe Olson, Foreman for General Roofing and Construction, noted that phase one floor will be done next Monday. The State Archives have been notified and will be coming to look through old documents that have been stored in the vaults and will take what they can to clear up storage space. Discussion included the vault floor under the Recorder's office. This specific area is not included in the current project, and Thomas would like to hold off on any decision until more of the project is completed. Thomas stated that we need to do due diligence with our current budget and take care of items that have been included or concerns that come up with the current plans first.

Justin Johnson, Sheriff, approached the BOCC requesting an increase in wages. He stated with the situation we are currently in, the hours worked and demand for the individuals in law enforcement, he would like to see a two-grade increase to put him in line with other Sheriffs. Commissioner Copenhaver motioned to approve the increase, seconded by Commissioner Scanson. Discussion included having the personnel committee sit down, review and propose a plan to bring to the BOCC. Commissioner Scanson noted that it would be beneficial to have some sort of order out of this versus every department coming to the BOCC every time they want a raise. The BOCC is thankful for the work Sheriff Johnson does, it doesn't go unnoticed. Roll call vote included:

- Commissioner Beumer – nay
- Commissioner Hagel – nay
- Commissioner Utke – nay
- Commissioner Copenhaver – nay
- Commissioner Scanson – nay

motion failed. The personnel committee will plan to meet and provide an update to the BOCC later.

Foster County State's Attorney, Kara Brinster, had provided the BOCC with a memo in her absence to continue to retain ASA Flanders at three-fourths time until the end of February to assist in completing preparations for the Wick sentencing hearing. Commissioner Scanson would like clarification on what the number of hours would be needed to assist with this and clarification on the work entailed. Auditor/Treasurer Roundy will relay that information to Brinster.

Commissioner Discussion included continued progress on the basement project. Commissioner Utke noted that moving the elevator equipment from the Sheriff house to the courthouse will be part of the overall repair and renovation of the courthouse but is not part of the current basement renovation. Commissioner Utke and Commissioner Scanson have spoken with Road Superintendent Monson and Sheriff Johnson regarding Load Pass. The County had previously approved the agreement with Load Pass, but due to the staffing issues and workload in the departments, the BOCC cannot expect the Road and Sheriff department to take on more at this time. Commissioner Beumer motioned to approve Auditor/Treasurer Roundy write a letter explaining the situation and see if we can work with them in the future, seconded by Commissioner Copenhaver. All voted aye and the motion passed. Commissioner Hagel recommended that the BOCC appoint Corrine Frost to the Central Prairie Human Service Zone Board. Corrine Frost was a speech language pathologist for over forty years at the school and would be a great asset to the board. Commissioner Scanson motioned to appoint Frost, seconded by Commissioner Copenhaver. All voted aye and the motion passed. Discussion continued with appointments to the Water Board, Weed Board and Planning and Zoning. The BOCC would like to see the Water Board stagger their terms. Commissioner Beumer motioned to approve the re-appointment of Kyle Rzaszutak to the Weed Board for a four-

year term, seconded by Commissioner Scanson. All voted aye and the motion passed. Karen Evans, Tax Director, had provided a staggered term list for the planning and zoning board. Commissioner Scanson motioned to re-appoint Justin Topp, At Large for District two and Cameron Roundy, At large for District five, seconded by Commissioner Copenhaver. All voted aye and the motion passed. Commissioner Utke would like the BOCC to review information provided to them by Auditor/Treasurer Roundy regarding the Road Mill levy. The County is currently levying twelve mills, ten being in Farm to Market and two being in County Road. Both levies are expiring. The BOCC can levy up to ten mills with no vote in County Road and Bridge. To go beyond ten, they will need to ask the question on the ballot. With the second set of ten mills, a portion of that will get sent to the cities within the county, then the third set of ten mills would stay with the county. Commissioner Scanson provided information from Karen Evans on what an increase would look like for the residents in Foster County. Commissioner Scanson would like to see the County ask for Twenty-Two mills to replace the mills that they are losing and increase the amount that they could levy for. The BOCC will review this at the next meeting. There was no update on the lots by Juanita Lake or the Ambulance building. Commissioner Utke plans to attend the SORN meeting scheduled for next week. Commissioner Hagel attended the Human Service Zone meeting via phone. They have hired an interim director to replace Julie St. Germaine. The current director for Nelson and Griggs will serve as interim to see how the combination of counties works. Commissioner Beumer attended the BOH meeting and noted it went well.

The motor grader bid opening will be on February 20th, 2024, at 2:00 PM. The City of Juantia Lots bid opening will be on February 20th, 2024, at 3:00 PM, both will be in the Commissioner Room. Foster County will host the next six-county meeting on March 12th at the Chieftain. The Commissioner Summit will be held in Bismarck on March 20th, 2024 in Bismarck, ND.

With no further business, Chairman Utke adjourned the meeting at 5:44 pm.

Ellen Roundy
Foster County Auditor/Treasurer

David Utke, Chairman
Board of County Commissioners