

PROCEEDINGS OF THE FOSTER COUNTY BOARD OF COMMISSIONERS

February 20<sup>th</sup>, 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, Foster County State’s Attorney Kara Brinster, and Foster County Independent reporter Leasa Lura.

The meeting began with approval of the minutes for the February 6<sup>th</sup>, 2024, regular meeting and February 12<sup>th</sup>, 2024, special meeting. Commissioner Beumer motioned to approve the minutes, seconded by Commissioner Scanson. All voted aye and the motion passed.

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

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|-------|---|-----------|
| 36730 | ARROWWOOD PRAIRIE CO-OP                 | 825.42    |
| 36731 | BALCO UNIFORM CO., INC.                 | 27.96     |
| 36732 | BARNES COUNTY CORRECTIONS               | 2,712.94  |
| 36733 | BESSETTE MOTORS, INC.                   | 610.30    |
| 36734 | BESSETTE MOTORS, INC.                   | 24,721.45 |
| 36735 | BORDER STATES PAVING INC.               | 51,969.46 |
| 36736 | BRISS OIL COMPANY                       | 251.39    |
| 36737 | DAVID UTKE                              | 189.47    |
| 36738 | DEPARTMENT OF TRANSPORTATION            | 95.35     |
| 36739 | EAPC ARCHITECTS ENGINEERS               | 2,363.94  |
| 36740 | FOSTER COUNTY TREASURER                 | 8,531.13  |
| 36741 | HR COLLABORATIVE                        | 99.00     |
| 36742 | INFORMATION TECHNOLOGY DEPT.            | 943.45    |
| 36743 | LLOYDS MOTORS                           | 1,120.02  |
| 36744 | MIDSTATES WIRELESS                      | 750.00    |
| 36745 | ND ASSOCIATION OF COUNTIES              | 7.05      |
| 36746 | ND ASSOCIATION OF COUNTY AND TRIBAL VSO | 120.00    |
| 36747 | ND ASSOCIATION OF COUNTY AND TRIBAL VSO | 50.00     |
| 36748 | ND CLERKS ASSOCIATION                   | 100.00    |
| 36749 | NEWMAN TRAFFIC SIGNS                    | 480.00    |
| 36750 | ODP BUSINESS SOLUTIONS, LLC             | 322.99    |
| 36751 | ODP BUSINESS SOLUTIONS, LLC             | 5.48      |
| 36752 | ODP BUSINESS SOLUTIONS, LLC             | 322.99    |
| 36753 | OFFICE OF ATTORNEY GENERAL- 1250        | 140.00    |
| 36754 | OTIS ELEVATOR COMPANY                   | 2,015.00  |
| 36755 | QUADIENT FINANCE                        | 989.62    |
| 36756 | R. M. STOUTD                            | 561.00    |
| 36757 | RDO EQUIPMENT CO.                       | 1,100.00  |
| 36758 | RUNNING'S SUPPLY, INC.                  | 488.11    |
| 36759 | STUTSMAN CO. CORRECTION CENTER          | 4,200.00  |
| 36760 | TONY'S REPAIR                           | 1,396.52  |

Foster County State’s Attorney requested to add ASA Flanders to the agenda, Commissioner Hagel asked to add weed board under committee reports. Commissioner Scanson motioned to approve the agenda with the additions, 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. County wide load restrictions went into effect on Friday, February 16<sup>th</sup>, 2024. Monson noted there are many counties around the state that have load restrictions in place. The department will start crack sealing when the weather permits. The motor grader bid opening was held in the commissioner room at 2:00 PM. There were two bids received. Butler bid for a 2024 CAT 150-AWD for total less trade in and buyback of \$162,850.00. RDO bid a 2024 John Deere 772 GP less trade in and buyback of \$190,100.00. Commissioner Beumer motioned to approve the seven year lease from Butler for the 2024 Cat 150-AWD for \$162,850, seconded by Commissioner Scanson. Roll call vote included:

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

motion passed.

Ellen Roundy, Auditor/Treasurer, presented the bids received for lots four-seven, block 2, original, village of Juanita. Grant Stangeland bid \$1,800, but later retracted his bid due to misunderstanding on location, Ethan Stangeland bid \$800, and Charles Biel bid \$400. Commissioner Beumer motioned to accept Ethan Stangeland's bid of \$800.00, seconded by Commissioner Scanson. All voted aye and the motion passed. Roundy presented an amendment to the 2023 Foster County Budget. The county was conservative with budgets due to fund balances, so it was to no surprise that it was slightly over and the balances in the respective funds covered the amounts. Commissioner Hagel motioned to approve the budget amendment, seconded by Commissioner Scanson. All voted aye and the motion passed. Roundy asked for a fund transfer from the general fund to the county agent fund to cover the years 2019-2024. According to NDCC 11-38.06 (3), after agreeing upon a budget and after deducting the amount of funds contributed from federal and state funds, the board of county commissioners shall levy within the authorization under this chapter or appropriate funds out of the county general fund, or both, to cover the county's share of the budget. Roundy spoke with the Foster County State's Attorney Kara Brinster, Linda Svihovec with NDACo, and the state auditors to approve this transfer. She noted that they always levy less the two mills that the agent receives, however, transfers had not been completed in prior years. Commissioner Beumer motioned to approve the transfer, seconded by Commissioner Copenhaver. All voted aye and the motion passed. Roundy had received a notice from the state court administrator on whether the county would like to enter into a funding agreement for the 2025-2027 biennium to receive reimbursement for providing clerk services. Commissioner Scanson motioned to approve entering into a funding agreement seconded by Commissioner Hagel. All voted aye and the motion passed. Roundy presented an agreement for Chairman Utke to sign for temporary construction on project R-10381. Commissioner Beumer motioned to approve Chairman Utke's signature, seconded by Commissioner Copenhaver. All voted aye and the motion passed. Lastly, Roundy presented a renewal contract for detention and incarceration of inmates with Barnes County Correctional Center. Commissioner Beumer motioned to approve the contract, seconded by Commissioner Hagel. All voted aye and the motion passed.

Foster County State's Attorney, Kara Brinster, provided an update on the national opioid litigation asking for approval for the prosecuting firm to use their best judgment in good faith when approving the settlement. Commissioner Copenhaver motioned to approve the current plan and elect to accept the releases as requested, seconded by Commissioner Beumer. All voted aye and the motion passed. Brinster requested payment to ASA Rebecca Flanders for January 16<sup>th</sup>-January 31<sup>st</sup>. Commissioner Beumer motioned to approve paying ASA Flanders the last two weeks of work completed in January, seconded by Commissioner Scanson. Roll call voted included:

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

motion passed.

Karen Evans, Tax Director, asked the BOCC for approval of planning and zoning board members with Cash Biel serving his second term as President and Piet Van Bedaf serving as Vice-President. Commissioner Beumer motioned to approve members on the planning and zoning board, seconded by Commissioner Hagel. All voted aye and the motion passed. There was a public hearing on February 20<sup>th</sup>, 2024, for an RV park on Jeff Kvamme's land. The planning and zoning board motioned to pass their approval recommendation on to the BOCC. Commissioner Beumer motioned to approve the RV park contingent on the creation of the auditor's lot and all state requirements, seconded by Commissioner Scanson. All voted aye and the motion passed. Evans requested approval for the following Don Irmen (2023) Homestead Credit, Charlie Thompson (2022) Homestead Credit, Richard Myers (2022) Homestead Credit, Bruce and Crystal Miller (2022) Homestead Credit, Lee and Lorraine Wahlund (2023) abatement, and Ron Gulstad (2020-2023) abatement. Evans requested additional years for Gulstad beyond what is typically approved as the error occurred on the county's behalf. Commissioner Beumer motioned to approve all credits and abatements, seconded by Commissioner Copenhaver. All voted aye and the motion passed.

Chris Thomas, EAPC, joined the meeting via phone at 4:20 PM. Thomas noted everything is on schedule for the most part with the basement renovation. Information for mechanical and electrical supplies has been submitted to EAPC and is waiting on their approval until ordering. All historical documents have been moved out of the vaults and into storage to continue on with phase one. Thomas will plan to be onsite again on February 28<sup>th</sup>, 2024, to review and provide an update for the BOCC at their next regular meeting.

Commissioner Utke provided the BOCC with an update on Load Pass. Prior to having Roundy send a letter, he reached out to the company regarding the current situation and not having the staffing power to move forward. They noted that they have an auto approval process that the county could set specs to help alleviate some of the work. Commissioner Utke spoke with Sheriff Johnson and Road Superintendent Monson, and they all felt that an auto approval process may be able to work. Commissioner Hagel will have a storage agreement for Brinster to review prior to the next meeting for approval. The personnel committee had met and reviewed the salary schedule regarding an adjustment for Sheriff Johnson. The policy manual states a promotion would be a 7.5% increase, this would move Sheriff Johnson from Grade 17, step 6 to Grade 20, step 3. This would also put him in line with other counties. Commissioner Scanson motioned to approve the increase effective February 16<sup>th</sup>, 2024, seconded by Commissioner Beumer. Roll call vote included:

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

Discussion included the increase would also justify the spread between the sheriff and any deputy that would be hired on at the increased salary starting at \$65,000. Motion passed. Discussion was had on how the BOCC would like to proceed on increasing the road mills in Foster County. Commissioner Hagel started compiling revenues and

expenses but wanted to look at everything closer before deciding. The BOCC consensus is to have Commissioner Hagel and Commissioner Beumer sit down with Road Superintendent Nate Monson and Auditor/Treasurer Roundy to see exactly what is received for income and what is expensed out. There was no update on the Lots by Juanita Lake or ambulance building contract. Commissioner Utke attended a SORN meeting in Grand Forks and is working with Carrington Public Works, Jason Wolsky, on having an LEPC meeting. Commissioner Hagel asked for approval to re-appoint George Topp to the Weed Board. She also noted that Joel Lemer was on the board due to being the extension agent and was curious if Jeff Gale should sit on the board. Commissioner Scanson motioned to re-appoint George Topp to the Weed Board, seconded by Commissioner Beumer. All voted aye and the motion passed. Commissioner Utke noted that the BOCC should review the multi-hazard mitigation plan on an annual basis.

With no further business, Chairman Utke adjourned the meeting at 5:06 pm.

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Ellen Roundy  
Foster County Auditor/Treasurer

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David Utke, Chairman  
Board of County Commissioners