

PROCEEDINGS OF THE FOSTER COUNTY BOARD OF COMMISSIONERS

September 5th, 2023

At 3:30pm, Chairman Scanson called the Foster County Commission meeting to order. Roll call included Commissioner Scott Beumer, 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, Foster County Independent Reporter Leasa Lura, and Micheal Rivinius with Wold Engineering.

The meeting began with approval of the minutes for the August 15th, 2023, regular meeting, August 28th, 2023, Public Hearing at 9:00 AM, August 28th, 2023, Public Hearing at 7:00 PM, and August 29th, 2023, Special Meeting. Commissioner Beumer motioned to approve all minutes, seconded by Commissioner Copenhaver. All voted aye and the motion passed.

Auditor Roundy stated that they wrote check #36006 to the NDDOT for a duplicate title for trade in of the Ford Expedition. Roundy also said that the Border States Paving estimate due for the McHenry Road was included in the bills, but we will need approval for the change order separately. Commissioner Utke motioned to approve the bills with Check #36006 and paying the change order subject to approval seconded by Commissioner Hagel. All voted aye and the motion passed.

36006	ND DEPT. OF TRANSPORTATION	5.00
36020	AMAZON CAPITAL SERVICES, INC.	246.69
36021	AVID HAWK, LLC	35.00
36022	BESSETTE MOTORS, INC.	9,500.00
36023	BORDER STATES PAVING INC.	2,000,000.00
36024	BORDER STATES PAVING INC.	546,503.53
36025	BRYCE CARR	450.00
36026	C & J OIL COMPANY	9,670.45
36027	CENTRAL BUSINESS SYSTEMS	125.00
36028	CENTRAL CITY LUMBER INC.	244.94
36029	CMF	448.01
36030	CODY THIBERT	480.00
36031	COMPUTER EXPRESS	4,308.00
36032	COREAN SWART	203.95
36033	CRAIG WIESZ	32.75
36034	DACOTAH PAPER COMPANY	175.53
36035	DANIELLE KOEPPLIN	104.80
36036	FOSTER COUNTY INDEPENDENT	1,995.78
36037	JEFF GOLZ	1,000.00
36038	JOHN DEERE FINANCIAL	20,901.19
36039	JOHN DEERE FINANCIAL	5,477.50
36040	JOHN DEERE FINANCIAL	86.68
36041	JUSTIN JOHNSON	97.92
36042	KINETIC LEASING, INC.	16,658.02
36043	LAKE REGION LAW ENFORCE. CEN.	2,720.00
36044	MATTHEW BENDER & CO., INC.	47.43
36045	NACVSO	250.00
36046	NAPA AUTO PARTS	17.49
36047	ODP BUSINESS SOLUTIONS, LLC	172.45
36048	PATRIOT FUELS	603.04
36049	PRO FORMS	533.57
36050	RAMKOTA HOTEL & CONFERENCE CENTER	176.40
36051	RDO EQUIPMENT CO.	15,163.00
36052	TYLER TECHNOLOGIES, INC.	245.04

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

Old Business

The bid opening for the gravel pit was held at 3:00 PM on September 5th, 2023, in the Commissioner Room. There was a total of six bids with Joel Gussiaas being the highest bidder and awarded the purchase of the gravel pit. Commissioner Hagel stated during the bid opening that the state reserves the gas and oil rights.

New Business

Nate Monson, Road Superintendent, provided the BOCC with an update from the Road Department. The department started mowing roads on August 29th. They will finish the west side of the county by the end of the week and start the east side of the county next week. The new John Deere Blades were delivered, and the Road Department employees were able to have training with RDO. Monson had found a 2005 snowplow truck in Illinois for \$51,500 and \$3,800 for them to deliver it to Carrington. Discussion was had on looking at the truck in person. Commissioner

Beumer motioned to give Monson authority to travel to Illinois and to purchase if it's in the expected condition, seconded by Commissioner Copenhaver. Roll call vote included:

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

motion passed.

Michael Rivinius, Wold Engineering, presented the change order #2 to the BOCC. This included using geosynthetic material as it was getting costly to use asphalt. Commissioner Utke motioned to approve the change order as described, seconded by Commissioner Hagel. Roll call vote included:

- Commissioner Beumer – temporarily left the meeting for a call.
- Commissioner Hagel – aye
- Commissioner Scanson – aye
- Commissioner Copenhaver – aye
- Commissioner Utke – aye.

motion passed. Rivinius spoke to the BOCC regarding the temporary and permanent easement for the bridge project. The BOCC tabled until they could look into the issue further.

Kip Kovar, Garrison Diversion and Collen MacMilla with Garney Construction joined the meeting for discussion on hauling on non-haul roads. Monson provided frustration from his department on trucks hauling on roads they shouldn't be and hauling when the road conditions are not adequate. Monson has spoken to various individuals on the project, and no one can provide a straight answer or gain control of the situation. Collen stated that all subcontractors have been provided with the route map and know what roads they should and shouldn't be on. Kip indicated the same for Garrison Diversion. Kara Brinster, Foster County State's Attorney, was firm in stating that there will be charges filed against any drivers that are driving on roads they shouldn't be driving on. Commissioner Utke stated that it's troublesome when multiple agencies are involved in projects and that the Road Department has done a great job trying to preserve our roads. Commissioner Utke asked if there could be one point of contact for Monson. It was decided that Collen with Garney and Scott with Garrison would be the two points of contact for Nate.

Karen Evans, Tax Director, spoke on behalf of Emergency Manager Darlene Thomas. There are many addresses that are incorrect in the county. This becomes an issue for 911 responders if there were to be an emergency, the correct address is provided so they know where to go. Some addresses on 66th Ave NE have been incorrect for many years. Clinton Sherman and Billie Sinkler were present for the meeting and understand the importance of correcting their address despite the hassle. Commissioner Copenhaver motioned to approve their new address to 6595 4th St NE, seconded by Commissioner Hagel. All voted aye and the motion passed. Commissioner Hagel did reiterate that more addresses within the county will need to be corrected in the future.

Ellen Roundy, Auditor, presented the BOCC with a special liquor license to approve for the Garden Gate to serve at a private event in the county. Commissioner Copenhaver motioned to approve the special license, seconded by Commissioner Beumer. All voted aye and the motion passed.

Kara Brinster, States Attorney, asked the BOCC for approval to sign the contract with Karpel software. This was budgeted for 2024, however, if they sign the contract now, there will be a slight discount. No payment will need to be made until 2024. Commissioner Beumer motioned to approve and sign the contract with payment beginning in 2024, seconded by Commissioner Copenhaver. Roll call vote included:

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

motion passed.

Commissioner Hagel presented the BOCC with a 911 agreement with NDACo. Currently the county collects the fee and then disperses the money. The agreement would switch that responsibility to NDACo, and they would handle the collection of fees and disperse payments out. NDACo feels as if some phone companies are not collecting the fees that they should and with county participation can better streamline the process. Commissioner Beumer motioned to sign the agreement, seconded by Commissioner Utke. All voted aye and the motion passed. Commissioner Utke motioned to extend the basement project bid to September 14th by addendum, seconded by Commissioner Beumer. All voted aye and the motion passed. The Foster County budget hearing will be on September 11th at 7:00 PM at the Foster County Courthouse.

With no further business, Chairman Scanson adjourned the meeting at 5:01 pm.

Ellen Roundy
Foster County Auditor

Alan Scanson, Chairman
Board of County Commissioners