

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS OF FOSTER COUNTY NOVEMBER 1, 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 Road Superintendent Nate Monson, Interim Auditor Ellen Roundy, and Foster County Independent Reporter Leasa Lura.

The meeting began with approval of the minutes. Commissioner Hagel made a motion to approve the minutes of the October 18th, 2022, meeting, seconded by Commissioner Beumer. All voted aye and the motion passed.

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

Bills: 34450, Brinster Law, O.C., \$156.42; 34451, Central Business Systems, 126.32; 34452, Central City Lumber, Inc., 10.38; 34453, Computer Express, 139.00; 34454, Corean Swart, 208.19; 34455, Craig Wiesz, 74.38; 34456, Dacotah Paper Company, 75.64; 34457, Danielle Koepplin, 59.64; 34458, Dianne Hertel, 198.25; 34459, Election Systems & Software, 1,209.88.

34460, Foster County Treasurer, 150.70; 34461, Glass and Screen Repair, 337.20; 34462, Justin Johnson, 1,669.23; 34463, Kent Hewitt, 500.00; 34464, ND Association of Counties, 1,735.00; 34465, Nickolas Oster, 18.55; 34466, Normont Equipment Co., 1,266.64; 34467, Otis Elevator Company, 125.00; 34468, Quill Corporation, 348.33; 34469, Radisson Hotel Bismarck, 259.20.

34470, Schulz PLBG., HTG. A/C, Inc., 48.28; 34471, Seachange Printing & Marketing Services, LLC, 394.00; 34472, Team Laboratory Chemical Corp., 1,641.00; 34473, Thomas Voglewede, 225.00; 34474, United States Treasury, 1,635.90; 34475, William J. Gale, 88.75; 34476, Wold Engineering, P.C., 1,608.00.

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 on organizing duties that need to be completed for the Emergency Manager position. The BOCC touched on potential grants becoming available and not wanting to miss out on any opportunities. Commissioner Utke provided the BOCC with an update on the wording to the culvert policy in the road maintenance agreement. He provided the discount allocation dollar amounts from last year. The township meetings will be held on November 16th in the Commissioner Room.

New Business

Nate Monson, Road Superintendent, approached the BOCC with an update from the Road Department. The department will go out one more time durapatching making it 42 times for the year. They are prepped and ready to go for when snow arrives and will switch their hours to winter hours beginning November 7th. Monson provided a five-year contract for a skid steer. Commissioner Utke made a motion to approve the contract, seconded by Commissioner Scanson. Roll call vote included:

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

Motion passed. Monson noticed rocks in an easement and a snow fence in an easement. Commissioner Scanson made a motion to send a letter to the landowners to remove the items in the easement immediately, seconded by Commissioner Hagel. All voted aye and the motion passed. A Request for Proposal (RFP) was brought to the BOCC to perform preliminary engineering and affiliated services for a project that the county will receive Federal funds on. Commissioner Utke made a motion to approve the drafted RFP and to place in the newspaper, seconded by Commissioner Scanson. All voted aye and the motion passed. Monson asked the BOCC if Gilbertson's could use the scraper and cleanout the ditch on 'Lake Road'. Commissioner Beumer made a motion to have Gilbertson's do the work, seconded by Commissioner Hagel. All voted aye and the motion passed.

Foster County residents Clinton Sherman, Jim Sherman and Shaunette Koenig approached the BOCC regarding the speed limit on 66th Ave NE. Koenig spoke on working from home she sees the traffic and the safety concern of the dust that is produced with the high speeds. Commissioner Beumer made a motion to reduce the speed limit from 55 MPH to 35 MPH from the north entrance of the pasta plant all the way to the north to Raymond Johnson's/School bus sign, seconded by Commissioner Utke. Commissioner Utke had some concerns including the State's Attorney in the discussion to make sure that no precedent is set. Commissioner Scanson recommended for the dust control spraying a dust suppressant. The residents responded that they have been doing this and it does help for a while. Commissioner Hagel asked if there would be an expectation for

more patrolling in the area, as the Sheriff's Department may not be able to consistently designate a deputy. The residents understood that and had no expectation for an increase in patrol. Commissioner Utke stated that their point has been made, a motion was made, but would like to discuss with the State's Attorney. Commissioner Scanson stated that it may not change the decision, it may just change the wording. With no further discussion Commissioner Copenhaver asked those in favor state aye, with one Commissioner responding aye, the remaining four stated nay, motion failed.

Commissioner Utke updated the board with tower maintenance. Jamestown Communications has been to the tower and two of the batteries need to be replaced. They are working on getting replacements and will install them. Commissioner Hagel asked the BOCC to review the inclement weather policy as winter is right around the corner. The policy states that the Chairman will make the decision. She would like to remind the BOCC that a later start time is a good initial decision. Sheriff Justin Johnson joined the meeting. The BOCC asked if he is usually in the decision process for inclement weather. Johnson stated that Road Superintendent Monson has better knowledge of what is going on outside of the city in the county, but that he is willing to help if needed. Commissioner Hagel would like to continue to see the Chairman make the decision based on the discretion of Monson and Johnson. Interim Auditor Roundy stated the Courthouse needs a new door security system. She is still waiting on one more quote from electro watchman and will update the BOCC at the next meeting. Commissioner Copenhaver asked the BOCC their thoughts on sharing a deputy with surrounding counties to help patrol truck weights. Johnson stated he would be for that and feels it would be better all around for one county to host the deputy and for Foster County to contract with that county vs. all counties sharing one deputy. Commissioner Utke contacted EAPC for an update on the building projects. He stated he has not received a response but that the county is still on schedule for the initial timeline. Commissioner Utke also stated that an ambulance meeting is scheduled for Monday, November 7th and will provide an update to the BOCC at the next commissioner meeting. Commissioner Copenhaver attended a South-Central Human Service meeting; all is going well. Commissioner Hagel attended a Central Prairie Social Services meeting. There currently is an opening for an eligibility worker in the Foster County office. The director asked Becky to provide an update to when any building projects may interfere with their offices.

With no further business, Commissioner Copenhaver adjourned the meeting at 5:05pm.

NOVEMBER 14, 2022

At 3:30 pm, Chairman Copenhaver called the Foster County Commission Special meeting to order. Roll call included Commissioner David Utke, Commissioner Pat Copenhaver, Commissioner Alan Scanson, and Commissioner Becky Hagel. Also present was Interim Auditor Ellen Roundy, building maintenance Craig Weisz, building committee members Herman Johnson, Ray Topp and Red Skyland residents Ted Keller and Leo Straley. EAPC employees Steven Stalboerger, Todd Berg, Hanna Peterson, and Alex Nelson were present via Teams.

Steven Stalboerger, EAPC project architect spoke about the building plans. This project started with the basement floor heaving. The air quality is also a major concern for the entire building. There are certain aspects of the building that are currently not up to code and those changes are included in the plans. Discussion was had on how the light wells will be used to allow natural light into the lower level.

Todd Berg, EAPC, went over the mechanical changes set to take place. The existing radiators and steam pipes need to be removed as well as off-peak heaters. He went over the ventilation plan for the entire building. They are still working on final coordination for plumbing and re-routing water to the building.

Alex Nelson, EAPC, provided the BOCC with the electrical plans. The process for demoing fixtures all while salvaging as much as they can. They will add panels while moving all electrical to the new mechanical room.

Steve spoke about the architectural aspects of the project; they will reuse the door and framework while maintaining historical value. Commissioner Utke stated the purpose of this meeting is to show the BOCC progress. Steve stated that any questions, or changes to let EAPC know by middle of next week. Discussion was had on the phases of the project and the bid process.

With no further business, Chairman Copenhaver adjourned the meeting at 4:46 pm.

NOVEMBER 15, 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.

Bills: 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 H20+, 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. Ziemann, 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, Leavers 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, NDA-CO 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 Scanson 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 that 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 Copenhaver – 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 Copenhaver – aye
- Commissioner Scanson – aye
- Commissioner Utke – aye

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, Auditor
Pat Copenhaver, Chairman
Foster County
Board of Commissioners
(Publish December 19, 2022)

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COUNTY —

\$11,000 in the account. Motion passed.

The board heard from Foster County Sheriff Justin Johnson who attended the meeting to discuss estimates to install siding on the sheriff's garage.

The cost to side the building is estimated at \$2,860.81 from Central City Lumber. That is for materials only, but Johnson said the courthouse custodian said he can probably do the job. Motion passed.

The board heard from Alex Stedman who is interested in a seat on the water board.

Hagel said she is waiting to hear back from others about the position.

The discussion was tabled.

The board discussed estimates received on doors and flooring for the ambulance building.

A motion was passed to replace the doors, but Scanson asked if the courthouse custodian could look at the sub-flooring before they make a decision.

A motion to replace the doors at the ambulance bay was passed.

The discussion on replacing the flooring was tabled until they know what is underneath the flooring.

CITY —

for a Christmas bonus.

Finally, Erdmann said Jill Edinger was hired as the administrative assistant for the city.

CCEDC:

The board received a check from Strengthen N.D. for Rainbow Gardens and closed on the property.

Dennis Swanson is working with a fundraising committee.

Swenseth Properties Foster LLC, DBA High Plains Equipment, their Bank of North Dakota participation was initially approved by the city council

on June 14, 2021 with the loan amount estimated at \$925,000 and a 10 year buydown.

Bremer Bank, the lender, has requested to revise the loan amount to \$1,550,000 with a five-year buydown period. The city's portion will be \$85,714.28 to be repaid under the current program terms of a lump sum repayment or over three to five years at three percent interest. Motion passed.

The board approved the funding applications from Kollman's and Pizza Ranch. Both were tabled.

CVB:

CCEDC Director Laurie Dietz reported that the Jamestown Chamber & Tourism are not interested in taking on Birding Drives Dakota, but are willing to share birding information on their website.

Dietz reported she will apply to host a North Dakota Street Rod Association event in 2023.

AIRPORT:

It was reported that the furnace in the new hangar has been acting up.

The AWOS will be installed.

POLICE:

The new pickup has arrived, but the equipment for it has been delayed.

TREE BOARD:

It was reported that 44 trees were cut down and 25 trees were planted to replace them.

PUBLIC WORKS:

The water loop for the industrial park and the trailer park will be finished next spring.

There was a water leak at the wrestling club building and a water break on 13th Avenue North, but has since been repaired.

BUILDING OFFICIAL:

There were no building permits issued in the past month.

DAKOTA DATEBOOK

Victory sing in Grand Forks

World War I was the most devastating war in human history at the time it was fought from 1914 to 1918. The Armistice that ended the conflict on November 1, 1918, came as a great relief to the nations at war.

For J. Myron Bacon, a pilot from Grand Forks, word that "the armistice had been signed and we didn't have to go" on patrol. He said, it brought "some joyous shouts . . . and everyone behaved like a two-year-old. It really seems too good to be true, but it is, and I am glad."

The joy of the armistice was tempered by a deep sense of loss, for 116,516 U.S. soldiers died in the Great War. In order to mark the end of the war, the Women's Council of National Defense originated and carried out a National Victory Sing Day.

The Victory Sing was to feature hymns of patriotism and praise and thanks to honor the servicemen who had gone "over there" to the Western Front to fight against the Central Powers. Songs were also to be sung to celebrate the efforts of those on the Home Front who labored in the factories and farms to produce the food, supplies and weapons for the soldiers at the front lines. Accordingly, a call went out nationally after the Armistice for musicians and vocalists to gather together on Thanksgiving Day, the 28th of November.

Spirited citizens of Grand Forks wanted to join the Victory Sing, however, the city was in the midst of the Spanish Influenza epidemic from September through November. No public meetings were permitted. There were no school or college classes, nor movies or church services or gatherings of any kind, so Grand Forks could not schedule the Victory Sing until after Thanksgiving Day had passed.

The flu subsided in early December and the city opened up the public schools and allowed public meetings once again. Planning for the Victory Sing in Grand Forks proceeded and a community chorus under the direction of Mr. W.W. Norton began practicing.

On December 19, over two thousand people joined in the celebration of the National Victory Sing in the city auditorium. The program consisted of two themes; the victory in the Great War, and the spirit of Christmas joy. The Grand Forks band, under the direction of A.E. Moses, led off with several numbers, starting with the National Anthem. Then came choral songs of Thanksgiving, including "America, the Beautiful," and "Song of Peace" by Arthur Sullivan.

The Christmas theme featured a solo dance, given by Miss Doris Payne, followed by numerous hymns, capped off by "Silent Night," and "Joy to the World." The finale – the "Hallelujah Chorus" from Handel's "Messiah" was "splendidly rendered by the special chorus."

The Victory Sing in Grand Forks was noted as the "first of its kind" in the city, and the celebration gloriously "won its way into the hearts of the community as a whole."

Dakota Datebook written by Dr. Steve Hoffbeck.