

CITY OF BEULAH

November 20, 2023, 6:30 pm

Beulah City Hall Council Chambers

CITY COUNCIL MEETING

The regular meeting of the Beulah City Council was called to order at 6:30 pm by Mayor Sean Cheatley with Council Members Gary Miller, Ben Lenzen, David Czywczynski, Jason Isaak, Amanda Mohl and Auston Biles present. Eric Hoffer absent.

Also Present: City Attorney Scott Solem, Economic Dev. Dir. Beaver Brinkman, Water Supt. Gary Bovkoon, Public Works Supt. Kenny Yeager, Police Chief Frank Senn, Assessor/Planner Heidi Hamelton, City Auditor Heather Ferebee, Bruce Neuberger, Adam Baker, Roger Gazur, Beulah Residents.

Pledge of Allegiance.

Biles moved to dispense with the reading of the minutes of the regular meeting November 6 and approve as furnished to the Council by email. Miller seconded. Roll call vote found Biles, Miller, Czywczynski, Isaak, Lenzen and Mohl in favor.

COUNCIL AGENDA ITEMS

Council Member Isaak

Isaak presented a response to allegations at the last meeting that the Police Chief misled AgriBank into giving a \$25,000 grant to the Beulah Police Department for a command vehicle. Everyone involved was contacted. He restated discussion at the last meeting and went through a timeline of the application for the grant and the purchase of the police vehicle. The \$25,000 grant covers the \$16,310 for equipment installation from Electronic Communications. The remaining \$8,690 could be used for equipment for the PD Unit #18 vehicle to support it as a command vehicle. The grant also allows any portion of the grant to pay for the loan against the PD Unit #18 vehicle. BCI of ND was contacted and they have no investigation into Chief Senn or the City of Beulah as there was no crime committed. The VP of Relationship Management for AgriBank stated there was nothing wrong or deceitful about the grant application or change in vehicles and that the city can keep the funds. No other entity involved with the grant sees any wrongdoing or malicious intent by Chief Senn or the City of Beulah. The only entity that has an issue with it is the Adams County Sheriff's Department. The F-150 was never voted on as there was not an opportunity to buy one. Isaak stated his opinion is Chief Senn saved the city \$25,000. Isaak moved to keep the grant of \$25,000 from AgriBank and apply it to the purchase and equipment of the PD Unit #18 vehicle. Biles seconded. Roll call vote found Isaak, Biles, Miller, Czywczynski, Lenzen and Mohl in favor.

The Beulah Police Department was awarded the Back the Blue grant from the State of ND. Senn testified on this at the state legislature. The grant can only be used for law enforcement recruitment bonuses, retention bonuses or tuition payment for law enforcement training. It is

\$17,308, which would allow for \$2,885 per officer as a bonus. Since the city does not have a sixth officer, the remaining amount will be used towards recruitment and retention. Isaak moved to award the Back the Blue bonuses of \$2,885 to each of the five officers and use the remaining amount as a \$885 sign on bonus after FTO and \$2,000 after a year or by March 21, 2025. Mohl seconded. It was discussed that Chief Senn was encouraged by the Police Chief's Association of ND and the City of Beulah to testify at the legislature. Miller stated that Chief Senn is doing a good job for Beulah and the public input criticism is unjustified. Biles agreed. Roll call vote found Biles, Miller, Czywczynski, Isaak, Lenzen and Mohl in favor.

Council Member Biles

Employee Relations met on Friday and reviewed the HIPAA policies and procedures for the city's health insurance. The Back the Blue grant was also discussed.

CITY PERSONNEL

City Auditor

Isaak moved to approve the October Financial Reports. Miller seconded. Roll call vote found Isaak, Miller, Czywczynski, Biles, Lenzen and Mohl in favor.

Miller moved to approve the local permit for a 50/50 raffle for the Beulah Quarterback Club at the Beulah High School for half of the home basketball games from November 28, 2023, to February 23, 2024. Mohl seconded. Roll call vote found Miller, Mohl, Czywczynski, Isaak, Lenzen and Biles in favor.

Lenzen moved to approve the local permit for a 50/50 raffle for the Beulah Education Foundation at the Beulah High School for half of the home basketball games from December 21, 2023, to February 23, 2024. Miller seconded. Roll call vote found Lenzen, Miller, Czywczynski, Isaak, Biles and Mohl in favor.

Public Works Superintendent

Public Works put up the Christmas tree on Main Street with the assistance of MDU and Lakeview Services. Yeager thanked Noel and Betty Helm for donating the tree and MDU and Lakeview Services for helping put it up.

Water/Wastewater Superintendent

The control panel for Lift #1 is arriving in December. The chlorine system will need to be updated at the plant for safety reasons.

Economic Development Director

The Beulah Housing Authority draft budget was presented and the Housing Authority Board voted to refinance the loan to allow for better cash flow.

The City Attorney RFP will be advertised until January 15 with a January 29 deadline. A decision will then be made within 30 days. Biles moved to approve the City Attorney RFP and the dates

proposed. Isaak seconded. Roll call vote found Biles, Isaak, Miller, Czywczynski, Lenzen and Mohl in favor.

MCED met on November 9, and they have requested funds from the county to assist with development in Mercer County.

Police Chief

WRT was contacted regarding the Transfer Station camera and there is a solution to improve that one and detour illegal dumping. Three bids were received for security cameras for City Hall: WRT, Spartan and Verkada. WRT cameras were recommended as they are local and they will be able to replace or repair the leased cameras. The installation cost is \$6,625 and then \$237.30 monthly. WRT also returns 20%. Biles moved to award WRT the bid for cameras for City Hall. Mohl seconded. It was commented that the cameras need to be used. It was stated that the cameras are used every day at the Water Plant. The Public Building fund budget for City Hall improvements will be used. Roll call vote found Biles, Mohl, Miller, Czywczynski, Isaak and Lenzen in favor.

The hallway to the Police Department could be used as an alcohol testing area and fingerprint area if a wall is installed. It adds a layer of security for the Clerk, so the public does not enter the secure area. The bid is approximately \$3,000 for a wall and door to block off the hallway. Isaak moved to install the wall and door to isolate the hallway and move the equipment out there. Biles seconded. It would come out of the Public Building fund budget for City Hall. Roll call vote found Isaak, Biles, Miller, Czywczynski, Lenzen and Mohl in favor.

Door lock fobs were also researched for the Police Department and one for the City Hall office. Two companies were contacted and only Spartan responded. Mercer County Ambulance uses Spartan. It was commented that New Vision Security and Midwest Securities could be contacted.

Youthworks is budgeted for \$4,000 next year. Senn noticed the contract stated they have the right to reject an individual. He has contacted them, and they will remove that item. He compared other jurisdictions of comparable size that were paying less. Beulah's amount will be lowered to \$1,700.

PUBLIC INPUT

Adam Baker questioned if the vacancy in Ward 4 will be filled. Council decided to wait to fill it until the next election. Isaak commented the vacancy may be filled, but it's not required. Baker stated he contacted the Secretary of State. He commented that since there is interest, it should be filled.

Baker questioned when the Assessment Board will meet. Ferebee stated the board has consulted with the attorney and will publish a list of assessments in the paper. The public hearing can be held fifteen days after the first publication. Notice will be in the newspaper and on the city website.

The meeting adjourned at 7:26 pm.


Sean Cheatley, Mayor


Heather Ferebee, City Auditor

AgriBank

I have prepared this statement in response to the allegations that Police Chief Frank Senn duped AgriBank into giving a \$25,000 grant to the Beulah Police Department for a Command vehicle. After going through all the emails, meeting minutes, calling AgriBank, calling Nelson Auto Center, calling BCI and listening to Mr. Gooss's statement from the previous meeting and from reading Mr. Gooss's email sent to me on November 7th, 2023, these are my findings:

In the meeting minutes of 9-14-2022 under Council Member Hoffer it reads "Regarding the equipment portfolio a contract was signed to receive a police vehicle next year. The quote was \$38,500 for a vehicle." Senn commented an F-150 is \$42,000. It was questioned if a Chevy is an option. The contracted vehicle was #18 the Ford Explorer. I could not find any audio or video from this meeting but an F-150 was discussed back in September of 2022 already.

January 9th, 2023, we received a bill for the Explorer Unit #18 to be paid.

February 22nd, 2023, an employee of Farm Credit Services was in attendance at the council meeting and informed us that Farm Credit Services / AgriBank had a Rural Community Grant Fund that we could apply for grants for the Police Department. This conversation is not in the minutes. In the meeting minutes of February 22nd, 2023, it states "The police vehicle that was ordered last year will be here Friday. The cost is \$38,459.12 to Nelson Auto Center for a 2023 Ford Interceptor Utility SUV. Hoffer moved to approve the payment of \$38,459.12 by a vehicle lease." That motion passed unanimously.

February 24th, 2023, Chief Senn reached out to Melissa at Nelson Auto Center who had received the State bid contract. She sent him over a quote for a 2023 Ford F-150. The quote came back for \$43,949.00.

March 15th, 2023, Chief Senn received a quote from Electronic Communications to outfit a Ford F-150 for \$20,457.00

March 30th, 2023, Chief Senn submitted his grant application to AgriBank requesting \$50,000 for a Ford F-150 Command Vehicle.

May 24th, 2023, AgriBank awarded the Beulah Police Department a grant for \$25,000 to be used towards the F-150 Command Vehicle.

After the grant was awarded, Chief Senn called Melissa at Nelson Auto Center and she informed him the quoted vehicle had been sold and there was a long lead time for a replacement F-150. There is no written record of this due to it being a phone call.

June 20th, 2023, in the equipment meeting minutes Chief Senn informed the committee that the Ford F-150 was no longer available and that he was going to send a request to AgriBank to have the grant switched to the Explorer Unit #18, but their board has to approve it.

July 6th, 2023, Chief Senn emailed Teresa at AgriBank and informed her that the F-150 was no longer available and if the funds could be used to outfit a Ford Explorer that is currently being outfitted.

July 7th, 2023, Teresa from AgriBank responded that the change to the grant application had been approved by their board.

Jul 10th, 2023, Invoice was received from Electronic Communication for outfitting Unit #18 for \$16,310 which was paid out of the Police Equipment Fund.

July 31st, 2023, Invoices for the Explorer Unit #18 and from Electronic Communications were emailed to AgriBank.

August 3rd, 2023, Teresa emailed that the invoices had been received.

September 6th, 2023, the equipment meeting minutes state "The PD is receiving a \$25,000 grant that will be deposited into the Equipment Fund to cover the deficit of the Unit #18 electronics." That bill was \$16,310 so the remaining \$8,690 is still in the equipment fund and has not been spent yet. Chief Senn has a list of equipment he would like to buy that would have been in the F-150 but now will be used in Unit #18 as a Command Vehicle. According to the grant we can also use any portion of it to pay for the loan against the Explorer Unit #18 also.

October 2nd, 2023, funds are received from AgriBank.

November 11th, 2023, Chief Senn called Farm Credit in Beulah to ask if there was an issue with the grant we received. They responded that we should talk to AgriBank as they handle the grant.

November 13th, 2023, Chief Senn and myself tried to call Melissa at Nelson Auto Center but she was not available. She called back and Chief Senn recorded the conversation, and she confirmed the information that was given that the F-150 had been sold by the time we had been awarded the grant.

November 15th, 2023, Chief Senn and myself called Teresa at AgriBank and inquired if we had done anything wrong with our application by asking to have the vehicle changed. She had no issue with any of our dealings with them and the grant board was kept in the loop the whole time and the board approved our vehicle change on the grant.

November 16th, 2023, I called BCI of North Dakota to inquire about an email that Mr. Gooss sent to me as an Adams County Chief Deputy. The email stated "Additionally, being as you are the police commissioner for the Beulah Police department, please take notice that the Adams County Sheriff's Office will be requesting that North Dakota BCI conduct an investigation into whether or

not Chief Frank Senn or the City of Beulah violated a criminal statute." BCI has no investigation into Chief Senn nor the City of Beulah as there was nothing criminal committed.

November 20th, 2023, Chief Senn and myself called Peter Rudeen the VP of Relationship Management for AgriBank to inquire about any wrong doings. He stated there was nothing wrong or deceitful about our grant application or change in vehicles and that we can keep the funds.

After gathering all that information my conclusion is no other entity involved with the grant sees any wrongdoing or malicious intent by Chief Senn or the City of Beulah. The only entity that has an issue with it is the Adams County Sherrif's department. The F-150 was never voted on as we never had an opportunity to buy one. In my opinion Chief Senn saved the city \$25,000 by taking the initiative and doing the leg work to get the Beulah Police Department this grant.

Jason Isaak