Burleigh Morton County Jail Committee Meeting

Meeting Minutes from June 3, 2026, prepared by Major Trent Wangen

Committee members attending in person: Burleigh County Commissioner Wayne Munson, Morton County Commissioner Paul Tokach, Morton County Sheriff Kyle Kirchmeier, Burleigh County Sheriff Kelly Leben. Morton County Commissioner Raymond Morrell joined the meeting at 1345 hrs. Burleigh County Commissioner Jerry Woodcox joined the meeting at 1347 hrs.

Also attending in person: Burleigh County States' Attorney Julie Lawyer, Burleigh County Interim Finance Director Taylor Schmidt, Burleigh County Human Resource Director Pam Binder, Burleigh County Administrator Mary Senger, Major Trent Wangen, Captain Lisa Wicks, Lieutenant Jeff Olson, and Sergeant Elliot Carvell.

1330 hrs. Sheriff Leben called the meeting to order. Roll call completed by Major Wangen.

Call for approval of previous meeting minutes. Motion to approve by Commissioner Munson, second by Commissioner Tokach, all in favor, motion passed.

New Business:

2027 Budget:

Sheriff Leben presented the proposed 2027 budget for the detention center. Sheriff Leben provided an analysis of required increases and budget priorities.

1345 hrs. Commissioner Morrel joined the meeting.

1347 hrs. Commissioner Woodcox joined the meeting.

Sheriff Leben advised that four additional detention officer positions were included in the 2026 budget.

Commissioner Woodcox suggested requesting six additional detention officers in the 2027 budget based on needs at the detention center. Discussion on the benefits of increasing the request to 6 additional officer positions. The committee agreed for Sheriff Leben to request 6 additional detention officer positions.

Sheriff Leben explained the projected revenue for 2027. Sheriff Leben advised the cost share percentages would change to 81.5% Burleigh County and 18.5% for Morton County effective January 1st, 2027.

Sheriff Leben explained the 2027 staffing plan to include changes to the rank structure to include fiscal impact.

Motion by Commissioner Munson to move the proposed 2027 Budget forward, to include the six additional detention officer positions. Second by Commissioner Morrell. Roll call vote. All in favor motion passed.

1448 Commissioner Morrell left the meeting.

Motion by Commissioner Munson to move forward with the 2027 staffing plan. Second by Commissioner Tkach. All in favor, motion passed.

1500 hrs. Meeting adjourned.

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Burleigh Morton County Jail Committee Meeting

Meeting Minutes from April 29, 2026, prepared by Major Trent Wangen

Committee members attending in person: Burleigh County Commissioner Wayne Munson, Burleigh County Commissioner Jerry Woodcox, Morton County Commissioner Raymond Morrell, Morton County Commissioner Paul Tokach, Morton County Sheriff Kyle Kirchmeier, Burleigh County Sheriff Kelly Leben.

Also attending in person: Burleigh County Interim Finance Director Taylor Schmidt , Burleigh County Human Resource Director Pam Binder, Burleigh County Administrator Mary Senger, Major Trent Wangen, Captain Lisa Wicks, Lieutenant Jeff Olson, Sgt. Elliot Carvell, Kay Lacoe, and Mark Wagner

1501 hrs. Sheriff Leben called the meeting to order. Roll call completed by Major Wangen.

Call for approval of previous meetings minutes. Motion to approve by Commissioner Munson, second by Commissioner Morrell, all in favor, motion passed.

Jail Updates: By Sheriff Leben

Staffing:

Currently there are 5 open detention officer positions. 2 detention officers are currently in the Field Training Officer program; 4 detention officers are attending the Correctional Officer Basic course. 5 new correctional officers are in the background check phase.

Budget 2026:

The 2026 budget is on track as projected.

Contract Beds:

The 120 guaranteed bed contract has been implemented. All beds had been filled by March 1st as planned.

Old Business:

Paint Lawsuit:

Sheriff Leben provided an update for the paint lawsuit appeal.

New Business:

Capital Improvement Fund:

Sheriff Leben explained that there are 3 planned projects that are requested to be funded from the capital improvement fund. Major Wangen provided the details of each request.

Accurate Controls:

Bosch Video Surveillance System upgrade to update the hardware and software for security video system. The current system is the original hardware and software and is now 10 years old. The estimated project cost is $283,474.55.

Motion by Commissioner Munson to approve funding the project from the capital improvement fund. Second by Commissioner Woodcox. Roll call vote, all in favor, motion passed.

Dakota Caulking:

The exterior of the building needs caulking. Facility Director Achtenberg received 3 bids for the project. Facility Director Achtenberg recommended the bid be awarded to the low bidder of Dakota Caulking, utilizing silicone Tremco 4TS caulk, for $57,875.

Motion by Commissioner Morrell to accept the bid from Dakota Caulking for $57,875 and to utilize the capital improvement fund. Second by Commissioner Tokach. Roll call vote, all in favor, motion passed.

Air Handler:

Facility Director Achtenberg requested a spare gearbox be purchased for the air handler system. Facility Director Achtenberg had advised that if the current gearbox for the air handler failed it would take 9-12 months to receive a replacement. The detention center would not be able to operate without the air handler system functioning for 9 to 12 months and a spare gearbox was necessary as the detention center is critical infrastructure. The price quote received from Lindtech Services for the gearbox is $9,837.

Motion by Commissioner Munson to purchase the spare gearbox for $9,837 utilizing the capital improvement fund. Second by Commissioner Morrell. Roll call vote, all in favor, motion passed.

2027 Budget Discussion:

Sheriff Leben advised that the main addition to the proposed 2027 budget would be a request for 4 additional detention officers. Sheriff Leben explained the historical data for staffing the detention center and the need for additional correctional officers. Commissioner Woodcox recommended Sheriff Leben to request 6 additional detention officers for 2027. Committee members discussed the staffing needs for detention officers and agreed that Sheriff Leben should budget for 6 additional detention officers in the 2027 budget.

Maintenance Input:

Major Wangen provided an overview of future major maintenance projects that the detention center will need in the future.

BMDC Moving into the Future:

Housing Rates:

Sheriff Leben advised that inmate housing rates will need to be adjusted in the future as needed. Sheriff Leben explained that the city rates will need to be increased to be in line

with other agencies. Sheriff Leben explained that the State of North Dakota has requested information on future housing rates and has requested no increases through 2029. It was the consensus of the committee that the state housing rate would increase if necessary. Major Wangen explained that the U.S. Marshal Service IGA would need to be renewed in 2027.

Transports:

Sheriff Leben and Sheriff Kirchmeier updated the committee and transport challenges with contracted inmates. Sheriff Kirchmeier advised that Morton County was completing an U.S. Marshal IGA for transport services.

Cost Share Percentages and Enterprise Fund.

Sheriff Leben explained that in the future the commissions may want to consider moving the detention center to an enterprise fund. Sheriff Leben described how the detention center might operate as an enterprise fund.

Structure of BMDC:

Sheriff Leben advised the committee that with the growth of the staff size at the detention center that the administrative positions and rank structure for the detention should be updated to reduce the current span of control in the rank structure. Sheriff Leben also discussed appointing a Jail Administrator that would report to the Sheriff.

Juvenile Detention:

Sheriff Leben provided an update to the committee on the current challenges of housing juveniles with the State of North Dakota and potential challenges in the future.

Meeting adjourned at 1707 hrs.

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BURLEIGH / MORTON COUNTY COMMISSIONS

SPECIAL MEETING

DECEMBER 12, 2025

9:30 AM

Meeting called to Order.

Members present from Morton County were Commissioners, Boehm, Morell, and Tokach. In attendance from Burleigh County were Commissioners Bitner, Schwab, Munson, Bakken, Munson and Woodcox.

Attorney King gave the Commission an update on the status of the Detention Center paint Lawsuit since the determination by the judge.

Munson moved and Bakken seconded to adjourn into executive session for attorney consultation and negotiation strategy for ongoing litigation pursuant to NDCC 44-04-19.1(9). All voting aye, motion carried.

The Commission then entered executive session per **N.D.C.C. § 44-04-19.1(9)** at 9:34 AM.

The Commission adjourned the executive session at 10:20 AM and reconvened in open session.

Bakken moved and Morell seconded to approve the consensus from executive session to file an appeal and keep Mr. King on as the Attorney. All voting aye, motion carried.

Sheriff Leben presented a North Dakota Department of Correction and Rehabilitation Prisoner Contract. Motion by Comm. Bakken 2nd by Comm. Munson to approve the daily rate for this contract at $105 a day. All members present voted "aye" motion carried.

Sherrif Leben presented the Opioid settlement funds. Motion by Comm. Munson, 2nd by Comm. Bakken to accept the DOCR grant for a Nursing Position. All members voted "Aye". Motion Carried.

Motion by Comm. Munson, 2nd by Comm. Bakken to use Burleigh County opioid settlement funds. All Burleigh County Commissioners voted "Aye," motion carried.

Sherrif Leben presented a request to purchase a new dishwasher using capital improvement funds. Motion by Comm. Munson 2nd by Comm. Morell. Comm. Munson, Comm. Morrel, Comm. Woodcox, Comm. Tokach, "Aye," Motion carried.

Meeting Adjourned at 10:58.

Mark Splonskowski, County Auditor

Brian Bitner, Chairman

Burleigh Morton County Jail Committee Meeting

Meeting Minutes from May 29, 2025, prepared by Major Trent Wangen

Committee members attending in person: Burleigh County Commissioner Wayne Munson, Burleigh County Commissioner Jerry Woodcox, Morton County Commissioner Paul Tokach, Morton County Sheriff Kyle Kirchmeier, Burleigh County Sheriff Kelly Leben. Morton County Commissioner Raymond Morrell joined the meeting at 1337 hrs.

Also attending in person: Burleigh County States' Attorney Julie Lawyer, Burleigh County Finance Director Leigh Jacobs, Burleigh County Human Resource Director Pam Binder, Major Trent Wangen, Captain Lisa Wicks, Lieutenant Jeff Olson, and Lawrence King.

Burleigh County Auditor Mark Splonskowski attended remotely by phone.

1330 hrs. Sheriff Leben called the meeting to order. Roll call completed by Major Wangen.

Sheriff Leben requested to change the agenda order and conduct other business as the first item.

1333 hrs. Auditor Sponskowski joined the meeting remotely by phone.

1334 hrs. Sheriff Leben requested an Executive Session to discuss jail paint issue under the authority of NDCC 44-04-19.2. Motion by Commissioner Munson to enter an Executive Session, second by Sheriff Kirchmeier. Roll call vote, all in favor, motion passed.

1337 hrs. Commissioner Morrel joined the meeting.

1356 hrs. The scheduled Burleigh Morton County Jail Committee continued.

Motion by Commissioner Morrell for Attorney Lawrence King to file a builder's risk claim for the jail paint issue. Second by Commissioner Woodcox. Roll call vote, all in favor, motion passed.

Call for approval of previous meeting minutes. Motion to approve by Commissioner Munson, second by Commissioner Tokach, all in favor, motion passed.

Jail Updates: By Sheriff Leben

Staffing:

Conditionally offered positions for seven new staff to start employment on June 23rd. With the new hires the detention center will be fully staffed.

ARPA funding ended February 2025.

Old Business:

Sheriff Leben explained the detention center was exploring options for damaged jail glass replacement. Sheriff Leben explained the history, frequency, and cost to replace damaged glass at the detention center.

Sheriff Leben advised there had been discussion with a contractor on options to complete the four hundred Pod with modular cells. The options will be further researched with additional information brought back to the committee.

2026 Budget:

Sheriff Leben presented the proposed 2026 budget for the detention center. Sheriff Leben provided an analysis of required increases and budget priorities. Sheriff Leben advised that four additional detention officer positions and one additional nurse position were included in the 2026 budget.

Sheriff Leben explained the increase in projected income for the detention center due to contracts for housing inmates.

Cost Share Percentages:

Sheriff Leben provided data to the committee on historical usage by Morton and Burleigh Counties for calculation of the operating cost share. Sheriff Leben provided the committee with examples of 3 options and how each option would affect the cost share. Discussion among the committee members of the difference between the options. Sheriff Kirchmeier advised that Sheriff Kirchmeier preferred the current 2-year lookback. Consensus by the committee to continue with the current lookback process with 77.5% and 22.5% split for operational costs.

Building Ownership:

Sheriff Leben advised that after the construction bond for the Detention Center has been paid the ownership percentage was determined to be 83.07% Burleigh County and 16.93% Morton County.

The committee discussed that the capital improvement fund percentages should be at the same percentage as the ownership of the building. Motion by Commissioner Tokach to set the capital improvement fund cost share at 83.07% for Burleigh County and 16.93% for Morton County with the capital improvement fund allocated $300,000 per year. Second by Commissioner Munson. Roll call vote, all in favor, motion passed.

Motion by Commissioner Munson to move the proposed 2026 Budget forward, Second by Commissioner Morrell. Roll call vote. All in favor motion passed.

Meeting adjourned

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Burleigh Morton County Jail Committee Meeting

Meeting Minutes from February 7, 2025, prepared by Major Trent Wangen

Committee members attending in person: Burleigh County Commissioner Wayne Munson, Burleigh County Commissioner Jerry Woodcox, Morton County Commissioner Raymond Morrell, Morton County Commissioner Paul Tokach, Morton County Sheriff Kyle Kirchmeier, Burleigh County Sheriff Kelly Leben.

Also attending in person: Burleigh County Senior Attorney Dennis Ingold, Burleigh County Finance Director Leigh Jacobs, Burleigh County Human Resource Director Pam Binder, Major Trent Wangen, Captain Lisa Wicks, and Lieutenant Jeff Olson. Burleigh County Auditor Mark Splonskowski attended remotely by phone.

1030 hrs. Sheriff Leben called the meeting to order. Roll call completed by Major Wangen.

Call for approval of previous meeting minutes. Motion to approve by Commissioner Munson, second by Commissioner Morrell, all in favor, motion passed.

Jail Updates: By Sheriff Leben

Staffing:

Currently there are 3 open detention officer positions. 4 detention officers are scheduled to start employment on February 24th. Human Resources will reopen the detention officer position February 10th.

Budget 2024:

Approximately 92% of the 2024 budget was expended with approximately 8% returned.

ARPA Funded Positions:

The 4 detention officer position that had been funded with APRA funding will be moved to the detention center general fund budget for 2025. Remaining ARPA funds are projected to be spent by the end of March 2025.

Old Business:

Paint Lawsuit:

Sheriff Leben advised that the paint lawsuit has moved to the deposition phase with some depositions completed. Depositions for the Burleigh Morton Detention Center are scheduled for February 19th. Sheriff Leben explained the expenses for the legal representation and advised additional funding would be needed. Discussion included utilizing any money held back from Comstock to pay legal expenses.

Motion by Commissioner Morrell to allocate an additional $100,000 for legal expenses. Second by Commissioner Munson. Roll call vote, all in favor, motion passed.

Sheriff Kirchmeier asked for clarification on how the legal expenses would be funded. Sheriff Leben advised that Sheriff Leben would follow up to determine if any money was held back from payment to Comstock. The committee agreed to utilize the capital improvement fund for pay legal expenses if necessary.

New Business:

Jail Maintenance:

Sheriff Leben provided an update of a roof issue that had been identified and was scheduled to be repaired when the weather allowed. Sheriff Leben advised that the repair is covered by the warranty on the roof and that there should be no expenses. Sheriff Leben advised that the maintenance supervisor was retiring and that Burleigh County would be hiring a facility director to replace the maintenance supervisor. Sheriff Leben explained a concern about the air handler ventilation that may need repairs or modifications in the future. Sheriff Leben advised that the concern could wait until the facility director was hired and solutions could be explored. The committee was in agreement with hiring the facility director position before moving forward with options.

Cost Share Percentages:

Sheriff Leben asked for clarification from the committee on the calculation for the cost share. Sheriff Leben explained that currently the cost share has been calculated every 2 years by a look back on usage during that 2 year period. Sheriff Leben explained that after reviewing the joint powers agreement it may be interpreted that the look back be conducted yearly utilizing a rolling 2 years of usage. The committee discussed the different options to include possibly a 5 year look back. Sheriff Leben advised that Sheriff Leben will provide the committee with examples of all 3 options and how each option would affect the cost share prior to the next meeting.

2026 Budget Discussion:

Sheriff Leben explained that the budget development for 2026 would begin soon. Sheriff Leben advised that the maintenance line item will need to be increased as the building is now 8 years old. Sheriff Leben also advised that 4 additional detention officers may be required during 2025 or in the 2026 budget to allow the detention center to house additional contract inmates. Sheriff Leben explained that the inmate housing shortage in the state creates an opportunity for increased revenue by housing additional contract inmates. Sheriff Leben advised that currently the detention center is staffed to house approximately 325 inmates and if the inmate population exceeded 325 inmates additional staff would be needed. Major Wangen explained the staffing needs and staffing adjustments as the inmate population increases and advised a support position may need to be added along with the 4 detention officers. The committee supported maximizing revenue by housing additional contract inmates. Information was provided by Sheriff Leben and Major Wangen to the committee about potentially housing detainees from Immigrations and Customs Enforcement in the future.

Housing Rates:

Sheriff Leben reviewed the current inmate housing rate with the committee. Sheriff Leben recommended increasing the housing rate for Bismarck, Mandan, and Lincoln to $100 per day and all other local and state agencies to $115 per day effective January 1, 2026. Sheriff Leben explained that Sheriff Leben wanted to allow the local political subdivision the ability to budget for the rate increases for 2026. Major Wangen provided the committee with current inmate housing rates from other agencies in North Dakota.

Motion by Commissioner Munson to approve the recommended rate increase of $100 per day for Bismarck, Mandan, and Lincoln and $115 per day for state and other local political subdivisions. Second by Commissioner Tokach. Roll call vote, all in favor, motion passed.

Food Service Contract:

Sheriff Leben explained a proposal from Summit Food Service for a contract extension for 5 years that included a kitchen equipment replacement package. Sheriff Leben explained that several kitchen appliances and other assorted equipment needed to be replaced. Major Wangen explained that Summit Food Services had offered 2 proposals for the replacement of the equipment. Major Wangen explained the proposals and advised that Sheriff Leben and Major Wangen recommend accepting proposal B with the Burleigh Morton Detention Center purchasing the kitchen equipment utilizing the capital improvement fund. Major Wangen advised that selecting proposal B would save over $100,000 over the term of the contract.

Motion by Commissioner Woodcox to accept proposal B with the detention center utilizing funds, not to exceed $68,000, from the capital improvement fund. Second by Commissioner Morrell. Roll call vote, all in favor, motion passed.

Meeting adjourned at 1240 hrs.

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Burleigh Morton County Jail Committee Meeting

Meeting Minutes from May 29, 2024, prepared by Major Trent Wangen

Committee members attending in person: Burleigh County Commissioner Wayne Munson, Morton County Commissioner Raymond Morrell, Morton County Sheriff Kyle Kirchmeier, Burleigh County Sheriff Kelly Leben.

Also attending in person: Burleigh County State's Attorney Julie Lawyer, Burleigh County Finance Director Leigh Jacobs, Burleigh County Human Resource Director Pam Binder, Burleigh County Auditor Mark Splonskowski, Major Trent Wangen, Captain Lisa Wicks, and Lieutenant Jeff Olson.

1502 hrs. Sheriff Leben called the meeting to order. Roll call completed by Major Wangen.

Call for approval of previous meeting minutes. Motion to approve by Commissioner Munson, second by Commissioner Morrell, all in favor, motion passed.

Jail Updates: By Sheriff Leben

Staffing:

6 open detention officer positions and 1 open nurse position. 2 detention officers are scheduled to start employment on June 3rd. Detention officer position is currently open and accepting applications.

Old Business: None

New Business:

2025 Budget Discussion:

Sheriff Leben presented the proposed 2025 budget for the detention center. Sheriff Leben provided an analysis of required increases and budget priorities. Sheriff Leben advised that the 4 detention officer positions that have been previously funded by ARPA funds are included on in the 2025 general fund budget.

1514 hrs. Burleigh County Commissioner Jerry Woodcox arrived at the meeting.

Sheriff Leben advised that the cost share for the budget will change in 2025 to Burleigh County 77.5% and Morton County 22.5% based on the prior 2 years of usage.

Motion by Commissioner Munson to approve the 2025 budget. Second by Commissioner Woodcox. Roll call vote, all in favor, motion passed.

Members discussed including the funding and balances of the capital improvement fund in the budget process in the future.

Meeting adjourned at 1624 hrs.

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Burleigh Morton County Jail Committee Meeting

Meeting Minutes from March 21, 2024 prepared by Major Wangen

Committee members attending in person: Burleigh County Commissioner Wayne Munson, Burleigh County Commissioner Jerry Woodcox, Morton County Commissioner Ron Leingang, Morton County Commissioner Raymond Morrell, Morton County Sheriff Kyle Kirchmeier, Burleigh County Sheriff Kelly Leben.

Also attending in person: Burleigh County Finance Director Leigh Jacobs, Burleigh County Maintenance Supervisor Kevin Quinn, Burleigh County Auditor Mark Splonskowski, Captain Lisa Wicks, Lieutenant Jeff Olson, Attorney Lawrence King, Brad Nygaard, and Major Trent Wangen.

1400 hrs. Sheriff Leben called the meeting to order. Roll call completed by Major Wangen.

Call for approval of previous meeting minutes. Motion to approve by Commissioner Munson, second by Commissioner Morrell, all in favor, motion passed.

1402 hrs. Sheriff Leben requested an Executive Session to discuss jail paint issue under the authority of NDCC 44-04-19.2. Motion by Commissioner Munson to enter into an Executive Session, second by Commissioner Woodcox. Roll call vote, all in favor, motion passed.

1414 hrs. The scheduled Burleigh Morton County Jail Committee continued.

Motion by Commissioner Munson for Attorney Lawrence King to file legal action against the parties involved in the jail paint issue and appoint a subcommittee of Commissioner Munson, Commissioner Morrell, Sheriff Kirchmeier, and Sheriff Leben to consult with Attorney Lawrence King. Second by Commissioner Morrell. Roll call vote, all in favor, motion passed.

Sheriff Leben provided jail updates.

Staffing:

Sheriff Leben explained the challenges with filling the open nursing position and the possible need to make salary and schedule adjustments to match the local market conditions. Commissioner Munson inquired about utilizing part time positions for nursing. Sheriff Leben advised that the detention center is already utilizing one part time position.

Currently four open detention officer positions. Sheriff Leben explained that the position is currently advertised and Human Resources is accepting applications. Sheriff Leben advised that during this hiring cycle one or two backfill positions may be hired.

2024 Jail Inspection Report:

Sheriff Leben advised the 2024 annual jail inspection had been completed. The detention center is in compliance with the standards.

2023 Budget Overview:

Sheriff Leben provided an update on the 2023 Budget including increased safety glass and increased maintenance costs.

2024 Budget Discussion:

Sheriff Leben discussed two maintenance projects, cooling tower repairs and glass block replacement. Sheriff Leben explained the expense for the projects. Both projects were not planned or budgeted. Sheriff Leben explained that there is an increase of maintenance needs and cost as the building ages. Sheriff Leben suggested multiple options to the committee to fund both projects and the increased maintenance costs.

-Defer purchasing a new riding mower and utilize the budgeted $45,000 towards the increased maintenance costs.

-Make a lump sum transfer from the capital improvement fund to the maintenance line item.

-Authorize the use of $26,000 from the capital improvement fund to pay for the two projects.

-Do nothing and attempted to handle the cost increases in the current budget.

Motion by Commissioner Morrell to not purchase the riding mower in 2024 and utilize needed funds from the capital improvement fund to cover the increased maintenance costs. Second by Commissioner Woodcox. Roll call vote, all in favor, motion passed.

Sheriff Leben advised that the Workforce Safety Insurance premium had increased $55,000 for 2024. Sheriff Leben explained that the increase was due to the average years of experience had decreased for the detention staff.

Sheriff Leben explained the updated withdrawal protocol implemented at the detention center.

2025 Budget Discussion:

Sheriff Leben explained that the 2025 budget process had begun. Sheriff Leben advised that the four detention officer positions that have been funded from January 2022 until December 2024 with ARPA funding will be included in the 2025 budget.

Sheriff Leben provided an update to the operational cost percentage allocation. The current rate is 70.5% for Burleigh County and 29.5% for Morton County. The current projection is for the rate to change to 77% for Burleigh County and 23% for Morton County at the end of the two year period. Commissioner Munson requested what a five year lookback would be compared to the 2 year lookback for comparison purposes.

Old Business:

Body Scanner:

Sheriff Leben advised that after additional research a body scanner would not meet the current needs of the detention center and would not need to be purchased.

Jail Daily Rates:

Sheriff Leben advised that the updated daily rates went into effect for local and state agencies on January 1, 2024, and the new U.S. Marshal rate became effective October 1, 2023.

New Business:

Documentation of the Jail Committee meetings:

Sheriff Leben explained the current practice for documentation of the Jail Committee meetings. Commissioner Woodcox discussed other documentation options and advised to continue with the current practice, meeting minutes and audio recordings of all executive sessions.

Motion by Commissioner Woodcox to adjourn. Second by Commissioner Munson, all in favor, motion passed.

Meeting adjourned at 1554 hrs.

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Burleigh Morton County Jail Committee Meeting

Meeting Minutes from June 8, 2023, prepared by Major Trent Wangen

Committee members attending in person: Burleigh County Commissioner Wayne Munson, Burleigh County Commissioner Jerry Woodcox, Morton County Commissioner Raymond Morrell, Morton County Sheriff Kyle Kirchmeier, Burleigh County Sheriff Kelly Leben.

Also attending in person: Burleigh County State's Attorney Julie Lawyer, Burleigh County Deputy Finance Director Justin Schulz, Burleigh County Human Resource Director Pam Binder, Burleigh County Auditor Mark Splonskowski, Burleigh County Maintenance Supervisor Kevin Quinn, Major Trent Wangen, Captain Lisa Wicks, and Dustin Gawrylow.

0902 hrs. Sheriff Leben called the meeting to order. Roll call completed by Major Wangen.

Call for approval of previous meeting minutes. Motion to approve by Commissioner Munson, second by Commissioner Woodcox, all in favor, motion passed.

Sheriff Leben provided jail updates.

Staffing:

10 open detention officer positions and 1 open nurse position. One detention officer is scheduled to start employment on June 19. Detention officer position is currently open with 5 completed application submitted to Human Resources. Sheriff Leben explained the recruiting challenges and lack of applicants.

2023 Budget:

The overall the budget is on schedule but there has been increased costs for inmate medical and inmate supplies.

Jail Daily Rate:

Contracting agencies have been notified of the rate increase effective January 1, 2024. Contract rates of $125.00 for the Marshal Service, $100.00 for state and other agencies, $75.00 for Bismarck, Mandan and Lincoln. Negotiations are continuing with the Marshal Service to attempt to reach a daily rate of $125.00.

ARPA Funded Positions:

The four ARPA funded positions may need to be included in the general budget in 2025 or 2026.

Old Business

Jail Paint Issue:

Sheriff Leben provided an update on the scheduling progress for mediation.

New Business

Certificate of Completion:

Deputy Finance Director Schulz advised $95,000 is left over from a bond for the jail construction and requested if any action should be taken with the funds at this time. The committee decided to table the topic for a future meeting.

Opioid Litigation Funds:

Sheriff Leben advised a body scanner for the detention center may be able to be funded with opioid litigation funds that Burleigh County and Morton County receive. The need of a body scanner was discussed along with the potential benefits of a body scanner.

Motion by Commissioner Munson to research body scanners and discuss the possible purchase with public health officials. Second by Commissioner Woodcox. Roll call vote, all in favor, motion passed.

2024 Budget Discussion:

Sheriff Leben presented the proposed 2024 budget for the detention center. Sheriff Leben provided an analysis of required increases and budget priorities. Sheriff Kirchmeier discussed the need to move the employees to the public safety retirement plan.

Motion by Commissioner Munson to approve the 2024 budget. Second by Commissioner Morrell. Roll call vote, all in favor, motion passed.

Meeting adjourned at 1110 hrs.

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Burleigh Morton County Jail Committee Meeting

Meeting Minutes from February 1, 2023, prepared by Major Trent Wangen

Committee members attending in person: Burleigh County Commissioner Wayne Munson, Burleigh County Commissioner Jerry Woodcox, Morton County Commissioner Ron Leingang, Morton County Commissioner Raymond Morrell, Morton County Kyle Kirchmeier, Burleigh County Sheriff Kelly Leben.

Also attending in person: Burleigh County Assistant Finance Director Justin Schulz, Burleigh County State's Attorney Julie Lawyer, Attorney Lawrence King, Captain Lisa Wicks, Lieutenant Jeff Olson, and Major Trent Wangen.

1500 hrs. Sheriff Leben called the meeting to order. Roll call completed by Major Wangen.

Introduction of members and guests was completed.

Call for approval of previous meeting minutes. Motion to approve by Commissioner Woodcox, second by Sheriff Kirchmeier, all in favor, motion passed.

1503 hrs. Sheriff Leben requested an Executive Session to discuss jail paint issue under the authority of NDCC 44-04-19.2. Motion by Commissioner Morrell to enter into an Executive Session, second by Commissioner Munson. Roll call vote, all in favor, motion passed.

1542 hrs. The schedule Burleigh Morton County Jail Committee meeting continued.

Sheriff Leben provided jail updates.

Staffing:

9 open detention officer positions with 4 conditional offers pending. Sheriff explained that during the last 3 hiring cycles not all open positions had been filled. Sheriff Leben is working with Burleigh County Human Resources Director Binder to look at options to improve hiring.

Budget:

Sheriff Leben explained historical budget information and the effect that inflation had during the 2022 budget cycle and the current budget cycle.

Sheriff Leben advised the 2024 budget process would begin soon and requested guidance. Sheriff Leben advised maintenance, fuel, and inmate meals would need increases for the 2024 budget. Sheriff Leben explained possible legislative changes and effects on the budget.

Sheriff Kirchmeier and Sheriff Leben discussed possible legislative changes to the North Dakota Public Employees Retirement System and effects on the budget.

Sheriff Leben discussed the need to make operational changes at the detention center due to the effects of fentanyl in the community. Sheriff Leben advised the detention center would begin to issue undergarments to lower risk and liability of controlled substance entering the detention center. Sheriff Leben discussed the purchase of a body scanner to also deter and identify contraband before it would enter the detention center. Discussion continued on possible funding options of the body scanner.

Sheriff Leben provided an update on the ARPA funded positions.

Old Business: None

New Business:

Assist Finance Director Schulz provided an update on the sales tax collection to pay off the bond for the detention center construction. Schulz advised the sales tax collection for Burleigh County should be completed in late 2024 and that the bond cannot be paid off until November 2025. Discussion was held on the sales tax end date.

Sheriff Leben requested authorization to transfer a 2019 Ford Interceptor to the Burleigh County Sheriff's Department for $13,000. Sheriff Leben explained the vehicle purchasing history at the detention center and explained the vehicle was no longer needed.

Motion by Commissioner Woodcox to transfer the vehicle. Second by Commissioner Munson, all in favor, motion passed.

Motion by Sheriff Kirchmeier to adjourn. Second by Commissioner Munson, all in favor, motion passed. Meeting adjourned.

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Burleigh Morton County Jail Committee Meeting

Meeting Minutes from August 25, 2022, prepared by Major Trent Wangen

Committee members attending in person: Burleigh County Commissioner Kathleen Jones, Morton County Sheriff Kyle Kirchmeier, Burleigh County Sheriff Kelly Leben.

Committee member attending via phone: Morton County Commissioner Ray Morrell.

Also attending in person: Burleigh County State's Attorney Julie Lawyer, Burleigh County Finance Director Robin Grenz, Burleigh County Maintenance Supervisor Kevin Quinn, Attorney Lawrence King, Alyssa Lovas, and Major Trent Wangen.

1314 hrs. Sheriff Leben called the meeting to order. Roll call completed by Major Wangen.

Call for approval of previous meeting minutes. Motion to approve by Commissioner Jones, second by Sheriff Kirchmeier, all in favor, motion passed.

1317 hrs. Sheriff Leben requested an Executive Session to discuss jail paint issue under the authority of NDCC 44-04-19.2. Motion by Commissioner Jones to enter into an Executive Session, second by Commissioner Morrell. Roll call vote, all in favor, motion passed.

1344 hrs. The scheduled Burleigh Morton County Jail Committee continued.

> Maintenance Supervisor Quinn explained the mechanical issues related to the boilers at the detention center.
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> Sheriff Leben explained the estimates for repair options. Sheriff Leben explained the repairs may be paid from the capital improvement funds and that each county maintains a capital improvement fund for the detention center.
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> Finance Director explained the Burleigh County capital improvement fund for the detention center and the fund balance.
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> Committee members discussed to split the cost based off the ownership formula of the detention center between Burleigh and Morton Counties.
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> Motion by Commissioner Jones to replace the electronics for the boilers and air intake at a cost of $120,000.00 for the electronics replacement and $43,500.00 for the air intake replacement, to be paid from the capital improvement funds. Sheriff Kirchmeier second, all in favor, motion passed.

Sheriff Leben provided Jail updates:

> 6 open detention officer positions with 4 new detention officers starting September 12th. A conditional offer had been made to fill 1 open nursing position.
> 2022 budget is looking good overall. Inflation is effecting some specific line items.

1404 hrs. Sheriff Kirchmeier made a motion to adjourn. Second by Commissioner Jones, all in favor, motion passed. Meeting adjourned.

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Burleigh Morton County Jail Committee Meeting

Meeting Minutes from May 31 2022 prepared by Major Trent Wangen

Committee members attending in person: Burleigh County Commissioner Kathleen Jones, Burleigh County Commissioner Jim Peluso, Morton County Sheriff Kyle Kirchmeier, Burleigh County Sheriff Kelly Leben.

Also attending in person: Burleigh County State's Attorney Julie Lawyer, Burleigh County Finance Director Robin Grenz, Major Trent Wangen, Captain Lisa Wicks, and Lieutenant Jeff Olson.

1033 hrs. Sheriff Leben called the meeting to order. Roll call completed by Major Wangen.

Call for approval of previous meeting minutes. Motion to approve by Commissioner Jones, second by Commissioner Peluso, all in favor, motion passed.

Sheriff Leben provided Jail updates:

> Staffing: 7 open detention officer positions with 4 new detention officers starting June 6th. 3 detention officers transferring to deputy sheriff positions on June 6. Interviewing for the maintenance position next week. 1 nurse position open.
>
> Budget: 2022 budget on track for the year.
>
> Cost Share Percentage Calculation: The cost share based on inmate housing from June 2020 to May 31, 2022 will be effective for 2023 and 2024.

Commissioner Peluso commented that a major cause for staff turnover is officers moving to law enforcement positions.

Old Business: None

New Business:

2023 Budget: Sheriff Leben explained the historical income/revenue split between Burleigh County and Morton County. Sheriff Leben explained line item increases and decreases. 7 line items increased, 1 line item decreased. The proposed salary increase included a 4% cost of living increase plus a step increase. Inmate board/meals had a large increase for the proposed 2023 budget but the detention center is looking at options to mitigate costs. Sheriff Leben discussed historical overtime costs and the increased overtime budget request for the proposed 2023 budget.

Sheriff Leben explained possible changes to the Covid-19 mitigation measures at the detention center.

Commissioner Jones questioned if increasing inmate workers in the kitchen would increase security costs. Commissioner Peluso agreed that increasing inmate workers in the kitchen was not worth the savings with the increased risk.

1136 hrs. Sheriff Kyle Kirchmeier left the meeting.

1140 hrs. Meeting adjourned.

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Burleigh Morton County Jail Committee Meeting

Meeting Minutes from March 29 2022, prepared by Major Trent Wangen

Committee members attending in person: Morton County Commissioner Ray Morrell, Morton County Commissioner Ron Leingang, Burleigh County Commissioner Kathleen Jones, Burleigh County Commissioner Jim Peluso, Morton County Sheriff Kyle Kirchmeier, Burleigh County Sheriff Kelly Leben.

Also attending in person: Burleigh County State's Attorney Julie Lawyer, Burleigh County Finance Director Robin Grenz, Major Trent Wangen, and Captain Lisa Wicks.

1300 hrs. Sheriff Leben called the meeting to order. Roll call completed by Major Wangen.

Call for approval of previous meeting minutes. Motion to approve by Commissioner Jones, second by Commissioner Morrell, all in favor, motion passed.

Sheriff Leben provided Jail updates:

> Staffing: 6 open detention officer positions and currently advertising the open position. June 6 planned start date for new detention officers.
>
> Statistics: Inmate population remaining consistent. Billing for inmate housing down from last year.
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> Budget: 2022 budget on track for the year. Utility costs over budget in 2021.
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> 2022 Jail Inspection: The detention passed all 108 standards for the annual DOCR inspection.

Old Business: - None

New Business: Home Rule Charter: Sheriff Leben explained that sales tax is utilized to pay for the construction of the detention Center and discussed the possibility of utilizing the sales tax to pay for operational costs after the construction was paid for. Committee members discussed the option and possible benefits after the jail construction is paid off in approximately 10 years. Sheriff Leben suggested reviewing the topic 5 years prior to the current home rule charter expiring.

2023 Budget preparation: Sheriff Leben explained the cost share percentage calculation between Morton and Burleigh County. The cost share is determined by a two year look back at the inmate numbers for both Morton County and Burleigh County. Current percentages utilized 24.5% Morton County and 75.5% Burleigh County. The new review period is June 2020 thru May 2022. Current projections would change the cost share percentages to 29.5% Morton County and 70.5% Burleigh County. Sheriff Leben explained that a possible cause for the change was due to Covid-19 response. During the current review period Burleigh County inmate numbers decreased and Morton County inmate numbers remained constant. Sheriff Kirchmeier discussed the difference in inmate numbers and arrests with covid restrictions. Sheriff Leben explained that a five year review had been previously discussed but the committee had decided on a two year review.

Sheriff Leben explained the 2023 budget process has started. Sheriff Leben stated that inflation is effecting the current budget and the proposed 2023 budget. Several original service contracts had been paid with construction funds are now shifting to the general fund. The inmate food contract is projected to increase 45% or $.86 a meal. Committee members discussed the food service contract and inmate food service providers. Major Wangen was directed to research additional options for the food service contract.

Inmate Housing Contract rate: Sheriff Leben explained the current rate of $75.00 per day to house inmates for outside agencies and a rate of $66 per day for the cities of Mandan and Bismarck. Finance Director Grenz had conducted a review of per day inmate housing costs and calculated the current cost at $129.09 per inmate day. Sheriff Leben explained the inmate housing rates from other regional facilities. Committee members discussed inmate housing rates. Committee members suggested an inmate housing rate change to $125.00 for the federal contract, $100.00 for state on local agencies, and $75.00 for the cities of Mandan and Bismarck. Commissioner Morrell had questions on housing costs and depreciation costs. Finance Director Grenz explained the depreciation costs. Committee members suggested to start with updating the U.S. Marshall contract then adjusting the state and local agencies rates effective January 1, 2023.

Sheriff Leben discussed the renewal of the Reliance inmate phone service contract and the Summit Commissary contract.

Other Business: Sheriff Leben provided an update on the paint lawsuit and the problems with the boilers at the detention center caused by a work order change during construction.

Sheriff Leben called for motion to adjourn at 1444hrs. Motion made by Sheriff Kirchmeier, second by commissioner Morrell. All in favor, motion passed. Meeting adjourned.

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