LATE EDITION

SATURDAY, AUGUST 31, 2019

INFORUM.COM



Shavonne Wilkie, left, and Dave Wilkie hold the last photograph of their late son Patrick Wilkie. Patrick and two co-workers were killed in a 2013 crash near Stanley, N.D., while traveling to a work site.

DYING ON THE ROAD

Most ND worker deaths are transportation-related, but OSHA typically doesn't investigate them

By April Baumgarten abaumgarten@forumcomm.com

Wahpeton, N.D. atrick Wilkie's life is displayed with love inside a cabinet and on the walls of his parent's rural Wahpeton home.

The house itself was a final gift from the 26-year-old to Dave and Shavonne Wilkie. Without their son's life insurance plan, they wouldn't have been able to replace their old "When Patrick was small, he always

(said), 'One day, I'll build you guys a house,'" Dave Wilkie said, calling his son a hard worker who helped everyone

But they weren't able to share the new home as a whole family. Patrick Wilkie and two co-workers — 22-year-old Tyler

ROADS: Page A4



Flint McColgan / Minot Daily News

Emergency personnel survey the scene of a fiery crash on U.S. Highway 2 on June 21, 2013, three miles east of Stanley, N.D. Three workers were killed in the crash that involved a semi hauling oil.



Special to Forum News Service

The Dave Matthews Band headlined a concert at St. Paul's Xcel Energy Center on Feb. 3, 2018. Sanford Health is bringing the group to Sioux Falls, S.D., in

Sanford's latest big private show: Dave **Matthews Band**

By Jeremy Fugleberg jfugleberg@forumcomm.com

SIOUX FALLS, S.D. — In October, the rock group Dave Matthews Band will wrap up a series of shows in Mexico. Next stop: South Dakota.

Sanford Health is paying for the band to perform two private shows for its employees at an appreciation event at the Denny Sanford Premier Center in Sioux Falls on Oct. 18 and Oct. 20, a spokeswoman for the regional health care giant confirmed this week. The cost: undis-

The event is the latest in a string of star-studded private shows for Sanford employees in recent years. Sioux Falls-based Sanford has paid to bring in artists including Lionel Richie, Fergie and Keith Urban at shows in Sioux Falls and Fargo.

The Dave Matthews Band also will play another private show at the Premier Center, this one for employees of First Premier Bank, a spokeswoman for the bank confirmed. T. Denny Sanford, the billionaire credit card mogul who is also namesake and top philanthropist of Sanford Health, founded and owns Sioux Falls-based First Premier Bank.

Both Sanford Health and First Premier Bank celebrated the then-new Denny Sanford Premier Center in 2014 with private shows featuring country music acts Keith Urban and The Band Perry. The cost of those shows wasn't disclosed.

Sanford wouldn't make available anyone to be chart-topping recording interviewed about the band selection or cost of bringing in the Dave

SANFORD: Page A5

WF elementary first in metro to offer unisex bathrooms

By Wendy Reuer

wreuer@forumcomm.com

WEST FARGO — When West Fargo's Deer Creek Elementary School opened its doors for the first time Tuesday, Aug. 27, it became the first public school in the Fargo-Moorhead area without boys and girls bathrooms, instead offering all unisex bathrooms.

The school was designed with unisex student bathrooms after an architectural study found that such bathrooms, which have communal washing stations and private doors on each stall, are more space efficient, practical and safer than general be checked on in the girls' bath-

der-divided bathrooms.

West Fargo Schools Spokeswoman Heather Leas said the board asked YHR Partners, the Moorhead-based architectural firm that has designed the majority of its 14 elementary schools, to study bathroom and locker room efficiencies while the district was designing its new hockey facility and aquatic center, which were built as part of a 2015 bond referendum.

The district found that unisex bathrooms allowed for more student privacy, safety and better monitoring, Leas said.

room, only a female staff person can go into the girls bathroom and the same for the boys," Leas said. "Now, any teacher can go in to the bathrooms and monitor them. For me, that added safety perspective is a big benefit."

Fargo Schools Spokeswoman AnnMarie Campbell said while some schools have family bathrooms that are essentially unisex single bathrooms, all of the district schools have divided boys and girls bathrooms.

Campbell said the district does not currently plan to build any new

BATHROOMS: Page A5



Michael Vosburg / Forum Photo Editor

Deer Creek Elementary is the first school in the metro area to include unisex bathrooms.

INSIDE TODAY'S



LIFE:

NDSU gardening tour offers something for everyone. PAGE B1

Business......C1-4 Classifieds E Comics..... B5 Crosswords..... E7 Life..... B Obituaries A6 Opinion A7 Sports D Home & Abroad C5

Today's weather



Partly cloudy, light rain Details, D6



\$1.50 (Suggested retail price) Copyright 2019 The Forum

Severe weather possible on Labor Day

By Raju Chaduvula rchaduvula@forumcomm.com

FARGO — The Labor Day weekend is expected to be mostly sunny and warm in the Fargo area, but current weather models show

there's potential for severe weather on Monday, Sept. A general warming trend is forecast from Saturday, Aug. 31, to Sunday, Sept. 1, with temperatures on both

days possibly reaching into the upper 70s, said Daniel Robinson, a meteorologist with the National Weather Service in Grand Forks.

John Wheeler, chief

said there will be a few stray showers on Saturday near the North Dakota-South Dakota border and the North Dakota-Canada border.

The risk of severe weather rises on Monday afternoon, Sept. 2, Robinson said. Wheeler noted that Monday will be "cloudier

and a bit more unsettled." There's a possibility of scattered showers thunder showers, and there could be strong storms late

Monday, Wheeler said. Forecasts show the likely impacted areas will be

meteorologist with WDAY, WEATHER: Page A5



ROADS

From Page A1

Fischer and 41-year-old David Maskey, both of Minot — died June 21, 2013, in a fiery crash near Stanley while driving to a work site.

Vernon Wright, a semi driver from Georgia was trying to turn left off U.S. Highway 2 near Stanley when the semi loaded with oil stalled and blocked the road, according to court documents describing negligent homicide charges against Wright.

Fog prevented Patrick Wilkie, who was driving a company semi with Fischer as a passenger, and Maskey, who was driving his personal pickup, from seeing the stalled semi, court documents said.

"By the time they saw the truck through the fog, they went underneath it, said Bob Wolf, president of the International Brotherhood of Electrical Workers Local 714 in Minot, who knew the three men. "And the tanker exploded. All three of them were killed."

Wright was acquitted of the charges.

At 68%, North Dakota had the highest percentage of its workplace deaths classified as transportation-related in the country for 2017, according to a Forum analysis of the latest data from the U.S. Department of Labor and the AFL-CIO. Of the 38 workplace deaths counted that year in the state, 26 were transportation-related.

That was compared to 40% for the U.S. and 45% in Minnesota in 2017, according to the analysis.

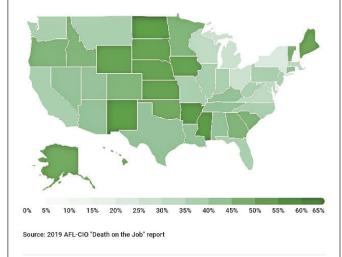
It's unclear whether the three men who died in the crash near Stanley were counted in the 31 workplace deaths that were transportationrelated in 2013 in North Dakota, since the Labor Department does not publicly disclose how cases are classified.

The Occupational Safety and Health Administration did not investigate the three deaths. OSHA typically does not investigate transportation deaths in the workplace, said Scott Overson, the agency's director for North Dakota.

Shavonne Wilkie doesn't the AFL-CIO said the

Transportation-related worker deaths by state

At 68%, North Dakota has the highest percentage of workplace deaths that are classified as transportation-related, according to a Forum analysis of 2017 U.S. Labor



know why OSHA doesn't investigate transportation deaths that are workrelated, but she said it

"Unfortunately, this wasn't the first accident, and it hasn't been the last," she said.

Families who have lost loved ones in workplace incidents are not only frustrated that OSHA doesn't investigate all transportation-related workplace deaths. They also want companies and government officials to do more to prevent them.

Confidential information

North Dakota tends to rank high when it comes to the rate of workplace fatalities. With a rate of 10.1 deaths per 100,000 workers in 2017, the state was second in the country only behind Alaska and far above the national rate of 3.5.

It's not uncommon for North Dakota, or other states, to have a high percentage of transportation deaths. At least 50% of workplace deaths were labeled transportation-related from 2012 to 2017 in North Dakota.

The AFL-CIO, a federation of U.S. labor unions, has criticized OSHA and other federal entities for not having enough investigators to look into worker deaths. North Dakota had seven OSHA investigators in fiscal year 2018, but

state should have 41 investigators, according to the group's 2019 report, "Death on the Job."

IN CRUM

OSHA investigated four workplace deaths in fiscal year 2018 in North Dakota. The agency releases information on when it is investigating incidents, but it doesn't keep track of whether a death is classified as transportation-related.

A Labor Department spokesperson said the agency does not release information on individual cases, referring to a confidentiality policy that dictates data collected is used only for statistics. Data is collected from different sources, including medical records, OSHA, traffic reports and news articles, according to the Labor Department.

'Minimal contact'

Vehicle crash investigations typically fall under the jurisdiction of law enforcement, OSHA officials said.

Some deaths that OSHA investigated in North Dakota over the last decade appear to have been ones that would be classified as transportation-related, including a fatal semi rollover near Watford City in 2016, a 2014 collision with a train near Ray, where a truck driver died, and a 2013 crash that killed a postal worker near Noonan.

The agency looked into the 2015 death of Benjamin Enterman, an



North Dakota Highway Patrol / Special to The Forum Smoke billows from the wreckage of a fiery crash that killed Patrick Wilkie, Tyler Fischer and David Maskey near Stanley, N.D., in 2013. The three were on their way to a work site.

engineering intern from Georgia who was hit by a semi while working in a highway construction zone east of Watford City.

The Forum sent questions to OSHA, asking whether the agency classified those incidents as transportation-related and whether the agency should investigate transportation-related workplace deaths, but the agency did not respond.

When asked if OSHA keeps records on transportation-related workplace deaths, the agency referred The Forum to the North Dakota Highway Patrol and the state Department of Transportation, neither of which keeps data on whether crashes are classified as work-related.

It is rare for OSHA to work with the Highway Patrol, according to patrol spokesman Sgt. Wade Kadrmas.

"I have been checking within our department, and we have minimal contact with OSHA regarding motor vehicle crashes," Kadrmas said. "In my 15-year career, I remember dealing with them once."

If OSHA investigated all transportation-related workplace deaths, it could determine the cause of crashes and create guidelines to prevent future crashes, Wolf said.

"The highway patrol is investigative only," he said.

'Too casually'

More than 37,000 people died in vehicle crashes in 2017 across the U.S., at a rate of 11.4 deaths per 100,000 people, according to the U.S. Department of Transportation. The same year, North Dakota saw 116 crash deaths, with a rate of 15.2 per 100,000. That put the state 16th highest for fatal crashes by rate. Crashes are the leading

cause of injury-related death in North Dakota, with almost all being preventable because they are attributed to human error, the state Department of Transportation said in its annual report. Speed is one of the most common contributing factors for fatal crashes, said Terry Weaver, traffic safety manager for the North Dakota Safety Council.

"I think people take driving too casually," she said. "They're texting, they're talking on the phone, and they're not making driving their priority."

Workers may be at higher risk if they are driving more miles for companies. "They have more of an opportunity to be injured because they are on the road more," Weaver said.

The Safety Council, a private nonprofit organization, instructs companies on a voluntary basis on how to train workers to drive. Weaver said education will help reduce crashes.

The state of North Dakota also has launched several initiatives in recent years to bring awareness to traffic and workplace safety.

Gov. Doug Burgum and several agencies in early 2018 launched Vision Zero, with the goal of curbing traffic tatalities through educational, legislative, law enforcement,

infrastructural and technology efforts.

Earlier this year, the North Dakota Petroleum Council, the Safety Council and TrainND Northwest established the One Basin-One Way safety curriculum. Fifty oil companies helped develop the 18-month training program.

Some companies in the state have defensive driving as part of their orientation for new employees, Weaver said.

Sometimes it takes 'a tragic incident'

Some companies do make changes after deaths.

Patrick Wilkie's company, Triangle Electric, reviewed its driving policy and added provisions that prevent drivers from going out when no-travel advisories are issued, Wolf said. North Dakota, however, doesn't typically issue no-travel advisories for

fog.
"I think it was a wakeup call," Wolf said of the deadly crash. "I think it ... made some people think, 'Yeah, we're making good money out here and they are good jobs, but it's not worth killing yourself

The Wilkies don't plan to pursue any legal action related to the crash.

"Nothing is going to bring him back," Dave Wilkie said. "All we can do is hope that the union or the OSHA folks get things changed."

Weaver wants companies to be proactive to reduce crashes, including by training workers.

"Sometimes it takes companies a tragic incident ... for them to say, 'Wow, we need to be doing something different or something better to help our employees make it to and from work or if they're driving on duty,'" she said.

Reducing workplace deaths should be a collaborative effort from citizens, workers, companies and government agencies, Wolf said.

"Everybody should be able to come home at night — the same way they left in the morning — to their families," he

Readers can reach Forum reporter April Baumgarten at 7 5417 or follow her on Twitter @ aprilbaumsaway.

CASS COUNTY BOARD OF COMMISSIONERS

AGENDA FOR SEPTEMBER 3, 2019 (TUESDAY)

Meeting called to order Roll call of the members Pledge of Allegiance Approve minutes of previous meeting

Approve order of agenda CONSENT AGENDA

& Grill; Rookies Sports Bar & Grill; Pub Wes

b. Amend Commission Policy Section 4.00, Advisory Boards; appoint rural Planning Commission

Receive and file Lost Instrument Bonds

d. Approve human trafficking grants for Youthworks;

Rane and Abuse Crisis Center; YWCA Cass Clay e. Contract approval—Houston Engineering, Inc.

PUBLIC COMMENT REGULAR AGENDA

1. Public hearing on Cass County Multi-Hazard

Mitigation Plan (Prochniak)

2. Flood Diversion items

a. Cass County MOU and Executive Director employment agreement update

(John Shockley)

b. Transfer of flood sales tax dollars (Montplaisir) c. State Water Commission reimbursement

request (Montplaisir)

3. Property Tax Incentive Projects a. West Fargo project for Cass County Housing

Authority (Larry Weil)

b. Fargo project for City Flats, LLC (Jim Gilmour) Independent audit of Cass County Jail (Jahner,

Frobig)

5. Proposal for Finance and Recorder Office remodel

meeting (Commissioners)

Approve vouchers (Peterson)

8. Committee reports

10. Adjournment

REMINDERS:

Sentember 3. 2:00 PM—Social Services Board meeting

September 5, 8:00 AM—Maple River Water Resource Board, Highway Department conference room September 9, 8:00 AM-Cass County Weed Control

Board, Weed Control office building September 10, 8:30 AM-Southeast Cass Water Resource Board, Highway Department conference

September 12, 8:00 AM-Cass County Joint Water Resource Board, Highway Department conference

SEPTEMBER 16, 2019 AGENDA DEADLINE IS 5:00 PM ON MONDAY, SEPTEMBER 9, 2019

and need special arrangements should contact the nission Office, 241-5609 or TDD 239-6784

NEXT REGULAR MEETING TO BE HELD People with disabilities who plan to attend the meeting

Goose carcasses found discarded in Minn. ditch near busy Broadway not here in Minnesota or if who harvest geese, take casses on private property **Kevin Wallevand**

kwallevand@wday.com MOORHEAD The Minnesota Department of Natural Resources is investigating the dumping of several geese carcasses in a ditch along a busy tar

just north of Moorhead. The geese had their breast meat harvested, but

road in Oakport Township

the carcasses were tossed. Tara Goehring spotted more than a dozen carcasses thrown into a pile far from her home in Oakport Township.

"It was very irresponsible to dump there," Goehring said.

Although the Canada goose hunting season North Dakota, these geese were found just across the line in Minnesota where the season hasn't opened

were legally shot in North a littering issue, and the

poached," they were Goehring said.

Wildlife has been spotted near the carcasses,

with the heavy traffic. The DNR has since

is open in some parts of removed most of the carcasses and a mower has been through the area. The Minnesota DNR is

investigating although it isn't illegal to dump the don't know if they carcasses. However, it is Dakota and dropped off DNR frowns on hunters

the meat and leave the carcasses in a ditch on a public busy roadway.

The DNR reminds huntwhich is another concern ers that disposing of car-

is fine. Early Canada goose season opens in Minnesota this Sunday, Sept. 1.

Al & Curt Hektner insurance



VALLEY PREMIER

BRIEFS

Man sentenced on lesser charge in case involving 14-year-old

FARGO — A 33-year-old Fargo man originally charged with a felony count stemming from a sexual assault case was sentenced to about one year of probation on an amended misdemeanor charge. Mason Jay Lewis appeared Thursday,

Aug. 29, in Cass County District Court, where Judge Steven Marquart sentenced him to 360 days of unsupervised probation on a misdemeanor count of contributing to the deprivation or delinquency of a minor. He received credit for having already

spent five days in jail and must pay about \$300 in fines and fees. Lewis was originally charged with a

felony count of gross sexual imposition in April and was accused of sexually assaulting a 14-year-old boy after meeting him through the dating app, Grindr.

But the charge was amended after an investigation revealed there was no forcible sexual misconduct, said Lewis' attorney, Bruce Quick.

AARP hosting retirement workshops Sept. 11 FARGO — AARP North Dakota is host-

ing two retirement planning workshops on Wednesday, Sept. 11, at the Delta by Marriott, 1635 42nd St. SW. There will be a lunch and learn from

11:30 a.m. to 1 p.m., and a lounge and learn from 5:30 to 7 p.m. The information presented at both sessions will be the same. The "Get to Know Social Security

and Medicare" education events aim to help people nearing retirement make informed decisions about both programs. Presenters will be from the Social

Security Administration and the Centers for Medicare and Medicaid Services. There is no cost to attend, but registration is required. To register, call 877-926-8300 or register online at https://aarp. cvent.com/FargoLunchSocSec9-11-19 for

the lunch session, or https://aarp.cvent.

com/FargoEveningSocSec9-11-19 for the

evening session.

JIM PRITCHARI ce President / Agricultural Hawley (218) 483-3361 | Moorhead (218) 233-2544

Your one-stop shop for pets in Fargo-Moorhead **Look for PetsHQ** in today's classified section!