



# The Forum

OF FARGO-MOORHEAD

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TUESDAY, MAY 31, 2022

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## Fargo looks to save energy

### City of Fargo hires consultant to find ways to measure energy use in city

By Barry Amundson  
The Forum

FARGO — City Administrator Bruce Grubb recalls something that surprised Fargo officials and himself after they installed equipment to capture methane gas at the city landfill in the early 2000s to sell to a nearby industry.

Not only did it help control dangerous emissions and eliminate the smell of flaring gas, there was a prosperous side benefit.

At that time, there were carbon capture credits that were available through the now-defunct Chicago Climate Exchange, a greenhouse gas reduction and trading system.

Because of the landfill project, the city had been collecting credits and one day in the mail came a check for \$900,000.

It was one of the earliest benefits Grubb, who oversaw the landfill and utilities at the time, could find to not only save taxpayers money through energy projects but also generate revenue.

Since then, city officials have been working on several other innovations such as reusing treated city wastewater and sending it through a pipeline for use at the Tharaldson Ethanol Plant in Casselton to

ENERGY: Page A8



## Desperate for guardians

### ND can't stop hiring a guardianship company despite its dubious record

By David Olson  
The Forum

Jamestown, N.D.

A North Dakota guardianship service tied to a couple who were convicted of misusing a client's financial card and who were found in a civil case to have mishandled a family trust is still handling guardianship cases.

That is largely because when it comes to finding guardians, judges in North Dakota have few options to choose from, according to a high-ranking official in the state court system.

Guardians serve a critical role in making financial and medical decisions for people who judges have found cannot make such decisions for themselves.

"They (state court judges) are constrained as to what



Holewa

they can do. They can't leave a vulnerable adult with no assistance or help," said Sally Holewa, North Dakota state court administrator.

Holewa said a federal criminal case and recent civil case in state court underscore the challenges judges face.

In the federal case, Tim and Delyte Koropatnicki, who are husband and wife and live in the Pingree area, were convicted in 2015 of charges relating to the misuse of a client's electronic benefit transfer card through a Jamestown-area company that Delyte Koropatnicki founded called DKK Guardianship and Conservatorship Services.

In that case, Tim

Koropatnicki pleaded guilty to one felony count of unauthorized use of benefits and Delyte Koropatnicki pleaded guilty to one misdemeanor count of conversion of public money, property or records.

In the civil case in state court, the pair are in the process of appealing a civil judgment of more than \$800,000 after a judge ruled the couple and other defendants named in the case, including DKK Guardianship and Conservatorship Services, committed a breach of trust and behaved fraudulently in the handling of a family trust.

After the Koropatnickis were charged in federal court in 2014, state judges removed DKK Guardianship and Conservatorship Services from a number of guardianship cases, court records show.

However, because of a shortage of private guardianship services, many guardianship cases were given back to DKK, Holewa said.

She added that even if the civil judgment against the Koropatnickis and DKK is upheld on appeal, it's likely judges will continue to allow the company to handle guardianship cases, simply because there are no alternatives.

Contacted by phone and asked whether she or her husband had any comment, Delyte Koropatnicki declined to comment on the federal criminal case, or the civil case now before the North Dakota Supreme Court.

However, she told The Forum she can confirm there is a shortage of businesses

GUARDIANS: Page A6

## Dilworth looks into private-public partnership for recreation facility

By Barry Amundson  
The Forum

DILWORTH — Dilworth's City Council has approved hiring a consultant to look into the possibility of a private-public partnership for a new recreation facility in the growing town of about 5,000.

A private development

group that helped construct two strip malls in the booming east side of Dilworth has been working with city officials on the proposed partnership.

Lance Ziebarth of Ziebarth Construction, along with his partners in OZ Development, were at a recent Dilworth City Council meeting to offer sup-

port for the plan to hire a firm to provide technical assistance on determining the financial and operating aspects of the project.

Mayor Chad Olson said they are asking for proposals from companies "to guide us" in the process.

He was obviously excit-

ed about the project in an interview with The Forum on Tuesday, May 24, and said it would be a "game-changer for the city" to have a private partner.

He said the scope of the project and the location would be determined after public input, but the initial plan is

to build it in an open field just east of the two strip malls in the new commercial Rail District on the city's eastern fringe.

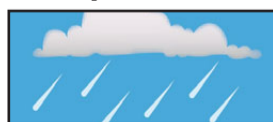
"We're taking it one step at a time," Olson said about the process.

FACILITY: Page A8

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### Today's weather



55°  
44°

A.M. light rain/wind  
Details, B8

## Minnesota Capitol sees greatest lawmaker turnover in 50 years

By Dana Ferguson  
The Forum

ST. PAUL — Minnesota lawmakers with centuries worth of combined years of experience have said their last goodbyes at the state Capitol.

The group of 57 lawmakers — 23 state senators and 34 House representatives — is set to retire their seats in the Legislature, marking the biggest exodus of sitting lawmakers in more than 50 years, according to the Minnesota Legislative Reference Library.

Among those set to step down are six current or former caucus leaders and 19 current committee chairs. The departures split pretty evenly across political parties and aren't expected to give either a decisive advantage heading into the 2022 election.

But they will mark the exit of some of the Capitol's best-known deal makers and open room for one of the largest crops of new freshman

TURNOVER: Page A3

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LIFE: Straw Hat Players cozy up to Minnesota winters with comic musicals. PAGE B5

## GUARDIANS

From Page A1

willing to take on guardianship cases in the state and she said filling that need is the aim of the business she founded and co-owns.

"There is a definite need and you try to do your job. That's what we were trying to do," Delyte Koropatnicki said.

### 'Serious improprieties'

After Tim and Delyte Koropatnicki were convicted in U.S. District Court in 2015 of knowingly converting a client's benefit transfer card for their own use they were sentenced in April of 2015 to 18 months probation and ordered to perform 100 hours of community service.

They were also ordered to pay \$6,630 in restitution to the federal government.

As a condition of probation, the Koropatnickis were prohibited from serving in any capacity over the financial affairs of any person for the duration of their probation, though Delyte Koropatnicki was allowed during that probation period to continue guardianship of people she had maintained a longstanding fiduciary relationship with.

In March of 2018, Lana Hylden of Park River, filed a civil suit in Stutsman County District Court alleging the Koropatnickis and DKK Guardianship and Conservatorship Services caused damages in the hundreds of thousands of dollars by mishandling the administration of a trust established by Hylden's mother, the late Janice Hofmann.

The suit also claimed the couple charged dubious fees to the trust, which the suit claimed the Koropatnickis did nothing to earn.

The Koropatnickis filed papers in court denying the claims and asked that the suit be dismissed.

In November 2021, state District Judge Tristan Van de Streek found that the Koropatnickis had violated their federal probation by continuing to engage in transactions involving the Hofmann family's trust and that the Hofmann family lost \$150,000 in rental income on land the family owned because of how the Koropatnickis administered the trust.

In his findings and order of judgment, Judge Van de Streek wrote:

"The court concludes there were serious improprieties by defendants which not only bolster the conclusion that they committed a breach of trust, but also behaved fraudulently."

The judge also noted that Tim Koropatnicki rented the Hofmann family's land for below-market prices to a man Tim Koropatnicki did personal business with.

In his judgement, Judge Van de Streek awarded Hylden \$264,957 in damages. He also ordered the reimbursement and trebling of \$86,450 in fees the defendants had collected from the Hofmann family trust, for a total additional award of \$259,350.

The judge also directed that \$155,325 be set aside and that it ultimately be awarded to Hylden, or returned to the defendants,

depending on the outcome of efforts to mitigate tax issues arising from the defendants' handling of the financial affairs of Janice Hofmann, who died in 2017.

The total dollar amount defendants are responsible for stands at more than \$843,000, according to court records.

The civil judgment has been appealed to the North Dakota Supreme Court.

### 'Only game in town'

DKK Guardianship and Conservatorship Services has about 180 open guardianship cases and two conservatorship cases under its purview, according to Holewa.

What state officials don't know is how many individuals have DKK as their representative payee for things like Social Security checks, or veterans benefits, she said.

One reason judges returned guardianship cases to DKK after taking them away was because replacement guardians had a hard time performing their duties due to the fact DKK remained the ward's representative payee for things like Social Security, according to Holewa.

"It's a total disconnect," she said. "For the most part, they (federal agencies) operate by their rules and we operate under ours. DKK was able to rebuild their clientele because there were no other options in the guardianship area."

"In many instances, they (DKK) ended up getting cases back at some point, or new cases, because they are the only game in town," Holewa said. "If there is no other viable option brought forth, judges are limited. They have to rule on what is in front of them, so even though they have concerns about the agency, if the petitioner isn't bringing forth anyone and they know there are no other entities in the state willing to take the case, then they're caught in this bind where the ward is in desperate need of help and can't go without a guardian. It's a real dilemma."

A message left with the Social Security Administration seeking comment for this story was not returned.

### Historical perspective

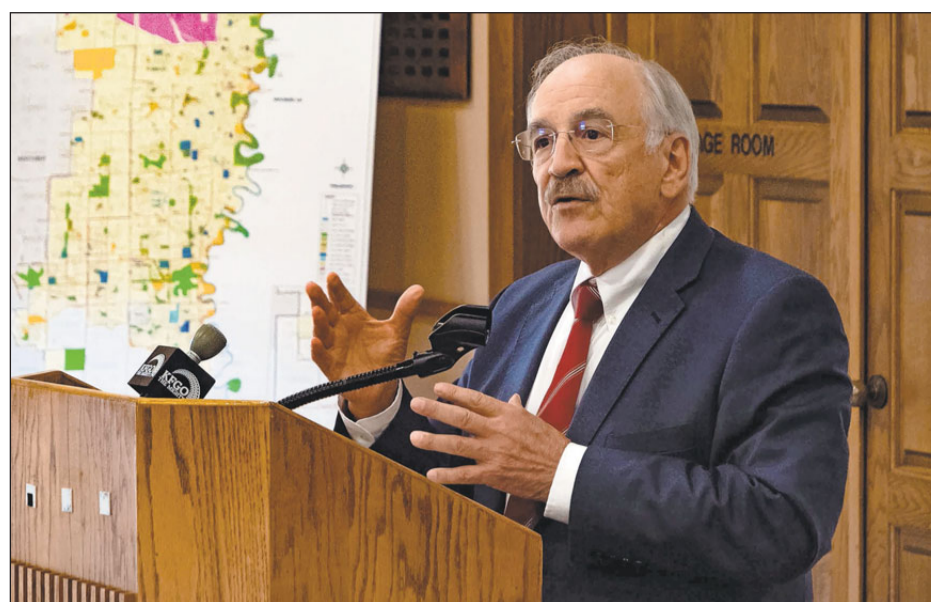
Until the 1980s, every county in North Dakota had a public administrator who was elected and whose job was to be the guardian of last resort for adult wards who had no one to turn to for guardianship services.

That system has since unraveled and North Dakota judges now often turn to private guardianship services when a relative cannot be found who is willing to take on the job.

Around the year 2013, North Dakota officials talked about setting up a guardianship division in state government, but opted instead to establish something called PASS funding, which provides limited funding to pay professional guardians, Holewa said.

Funding for PASS is capped at 120 cases, though Holewa said the program has helped to attract a new professional guardianship services company to North Dakota and she said

Lutheran Social Services of Minnesota has picked up a few guardianship cases as



Chris Flynn / The Forum  
North Dakota state Sen. Tim Mathern, D-Fargo, speaks at a news conference on Sept. 21, 2021, in Fargo.

well.

About nine professional guardianship services companies operate in the state, according to information from the North Dakota court system.

At the start of the year, North Dakota had about 3,300 active adult guardianship cases and of those about 1,053 were managed by professional guardians.

The rest, or about 2,000 cases, involved a family member who is a guardian.

Still, the demand for professional guardianship services remains greater than the supply, according to Holewa, who said North Dakota lawmakers are continuing to look for ways to close the gap.

Since 2013, that effort has received guidance from a guardianship work group established by North Dakota Supreme Court Justice Gerald VandeWalle.

The work group includes judicial officials as well as representatives from the state Department of Human Services, the Association of Counties, the North Dakota Guardianship Association and attorneys who practice in the area of guardianships and conservatorships.

The group has been working to strengthen the protections afforded to wards and to clarify aspects of the guardianship and conservatorship statutes, said Holewa who is a member of the work group.

In the North Dakota Legislature's 2021 session, a bill was introduced in the House that would have established an independent commission on guardianships. However, that bill was defeated in the House.

Tim Mathern, a longtime Democratic state senator, is an advocate for establishing a single state entity dedicated to improving the delivery of guardianship services, asserting it would help legislators make better decisions in that area.

"Right now, five different entities come to the Legislature and they all have a different slant on the need and a different slant on who should be funded," he said, adding that he believes that "kind of mix of testimony" leads to underfunding.

Mathern, of Fargo, called the situation a triple problem that involves a complex mix of guardianship types, finding individuals willing to become guardians and the legal cost of getting a guardianship established.

"It is the responsibility of the Legislature to pay these costs in many of these cases. So, that's the struggle before

us," said Mathern, who added that establishing an independent state office to deal with guardianship issues would be advantageous in the same way it was helpful to establish a public defender system to provide legal representation for indigent defendants.

### 'Short of people everywhere'

Sen. Judy Lee, R-West Fargo, another long-serving legislator, said the issue of meeting North



Dakota's guardianship needs is a longstanding one with no clear solutions.

"The problem right now isn't even finding money, it's finding people to do it," Lee said.

"Compensation can be increased and people might still not want to deal with this," Lee said, likening the dearth of people willing to handle guardianship services to the general workforce shortage facing businesses and community organizations across the country.

"We're short of people everywhere," Lee said.

Cynthia Feland, a state district court judge and chair of the guardianship work group, provided testimony to the Legislature in 2021, before House members voted to nix the idea of creating an independent state office to address guardianship needs.

In her testimony, Feland noted that over the past several legislative sessions lawmakers passed significant statutory amendments to improve and strengthen procedures in guardianship and conservatorship cases.

She stressed, however, that the need for guardianship services continues to outpace the supply and Feland said a subgroup of the guardianship work group came to the conclusion that an independent state agency was the best option among several outlined in a 2012 report that emerged from a legislative study on guardianship needs.

Feland told lawmakers that professionals in both the medical and long-term care fields have expressed shock over how many individuals have no one in their life to turn to for assistance.

She said a survey of care facilities found that about 124 individuals were in need of a guardian, but no one was available to serve in the role.

"Most difficult are those situations

where a guardian has been removed due to exploitation issues, or in some instances death, with no mechanism for identifying a replacement," Feland said.

"In the direst situations," she added, "professional guardians have stepped up and agreed to take on the case without being provided any additional compensation."

In North Dakota, the word "ward," as it applies to an adult, is someone who the court has found incompetent, a legal term that means a person is not able to make normal adult decisions in a rational manner.

Someone can only be declared incompetent and in need of a guardian through a court process.

Adults who have no one willing or able to be their guardian generally have a professional guardian appointed to assist them.

Decades ago, that would have been the county public administrator in North Dakota.

Today, it is usually a private guardianship service, which may be partly paid for through a combination of PASS funds, money the ward has, and dollars from veterans funds or Social Security funds, if the ward is eligible for such payments.

If a ward is developmentally disabled, Catholic Charities becomes their guardian and the funding comes from a contract that agency has with the state.

However, there is a waiting list for both Catholic Charities and private guardianship services, because there isn't enough funding for either system, Holewa said.

Judge Feland said the importance of fixing the guardianship shortage cannot be overstated and she said even though the Legislature declined to establish a guardianship commission in its last session she is hopeful the idea will eventually catch on with lawmakers.

"I was very disappointed that the legislation did not pass, because while it would not have fixed the problem overnight, it definitely would have put us on that track to be able to address this issue in a meaningful fashion," Feland told The Forum.

She added that when it comes to fighting for a guardianship commission, she's not admitting defeat.

"I'm trying to figure out if I need to tweak it somehow," Feland said.

Readers can reach Forum reporter David Olson at 701-241-5555.

## DEATHS

### Neil J. Monson

July 3, 1928 -  
May 29, 2022

WEST FARGO, N.D. - Neil J. Monson, 93, West Fargo, N.D., died Sunday, May 29, in his home.

Visitation will be from 1-2 p.m., followed by a funeral at 2 p.m., Thursday, June 2, at Boulger Funeral Home in Fargo, N.D. Burial will be in Sunset Memorial Gardens in Fargo.

Arrangements by Boulger Funeral Home and Celebration of Life Center.

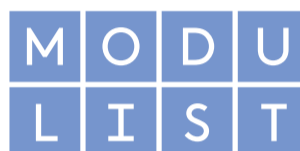
### Russell Strand

Jan. 2, 1946 -  
May 29, 2022

FARGO, N.D. - Russell Strand, 76, Amenia, N.D., died Sunday, May 29, in Bethany on University.

Visitation will be from 10-11 a.m., followed by a memorial service at 11 a.m., Thursday, June 2, at West Funeral Home in Casselton, N.D. Burial will be in Amenia (N.D.) Cemetery.

Arrangements by West Funeral Home & Life Tribute Center.



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# A WINNING BASEBALL PLAYER

RedHawks shortstop Sam Dexter vital piece in team success. B1

# The Forum

OF FARGO-MOORHEAD

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## Shaggy sentinels of climate change

Warming climate causes bison to shrink, sparks slew of challenges for herds

By Patrick Springer  
The Forum

Rapid City, S.D.

Jeff Martin noticed a striking trend in winners picked in competitions at the annual National Bison Association conventions that has persisted for more than two decades.

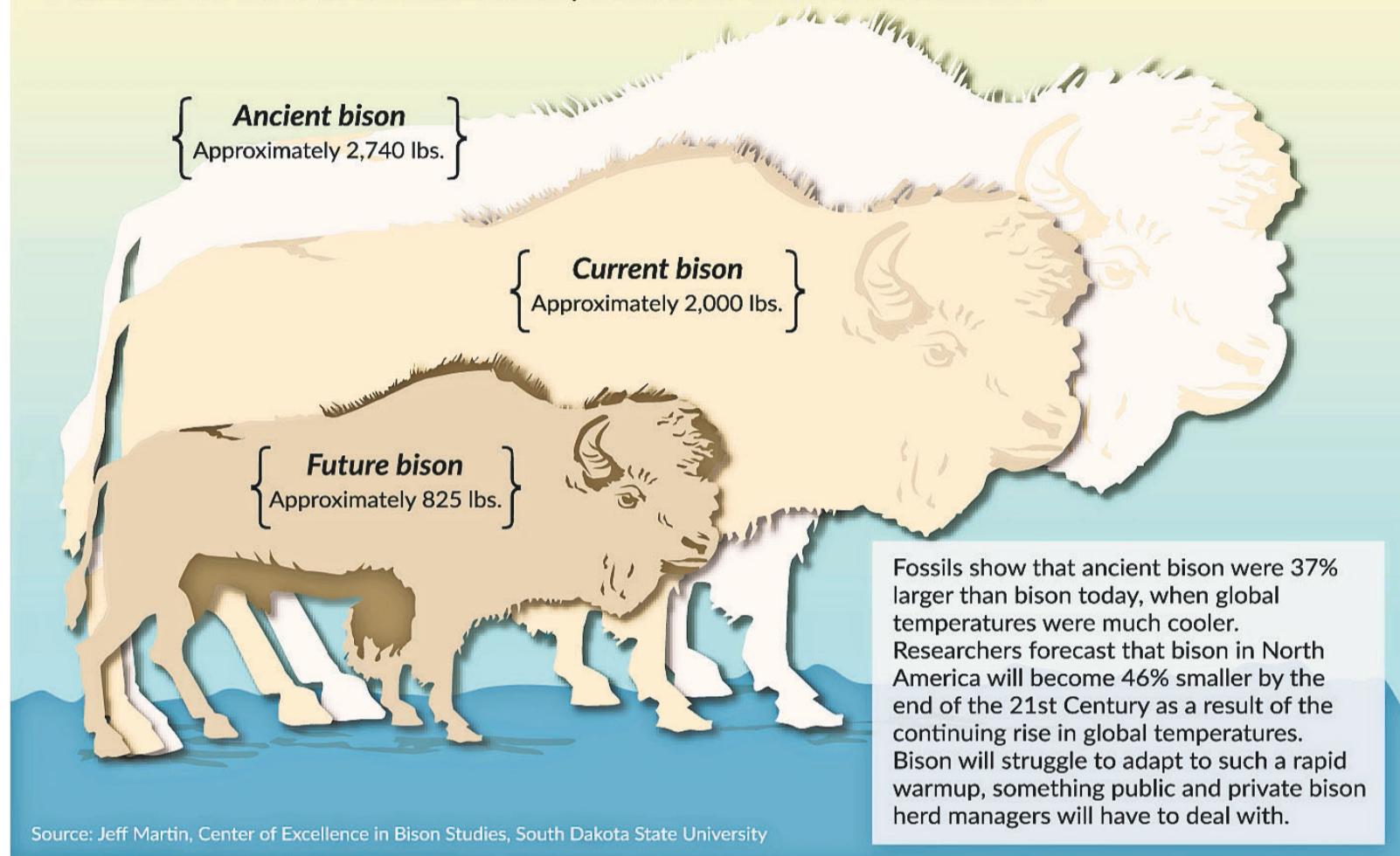
The winning bison, invariably the largest and most impressive specimens, typically came from the north, while those passed over for recognition usually came from the south.

He observed a similar, although more subtle, contrast in size between the bison he helped raise on his family operation in western Wisconsin and those he encountered working as a ranch hand at a South Dakota bison ranch while in college.

It gradually dawned on Martin that the bison at the 777 Bison Ranch in southwestern South Dakota were visibly smaller than those on his family's ranch in Wisconsin, where the climate is cooler, especially in winter.

Intensely curious, he began searching for explanations. For more than a decade, starting as an undergraduate and later while earning his doctorate, Martin has extensively researched the puzzle of why bison are larger in the north — and has compiled

### AS TEMPERATURES RISE, BISON GET SMALLER



Troy Becker / The Forum

a body of evidence that the answer lies in warming temperatures.

Quite simply, as temperatures rise, bison become smaller, a correlation Martin found played out over thousands of years and continues.

"I've seen bones of

ancient bison that were much, much larger than the bones of bison today," said Martin, research director at the Rapid City-based Center of Excellence for Bison Studies at South Dakota State University.

As an undergraduate student studying

paleontology at the South Dakota School of Mines & Technology in Rapid City, Martin first was drawn to the skulls and horns of ancient bison, which were much larger than today's bison.

He later realized that skulls are not a good

indicator of body size and instead focused on the "hock" bone, or calcaneum tuber, in the heel. He has measured and examined almost 1,000 of the fossilized bones.

"That's where my eyes go when I look at a bison today," he said.

The hock bone of ancient bison living 3,000 years ago was 37% larger than that of contemporary bison. Ancient bison, in fact, are genetically identical to bison today. "The only difference is their **CLIMATE:** Page A12

## Gov. candidates advance Tuesday

Walz, Jensen are the presumptive nominees

By Dana Ferguson  
The Forum

ST. PAUL — Minnesota voters on Tuesday, Aug. 9, will determine which candidates from the state's four major political parties advance in the contest for governor.

In the primary contests, DFL incumbent Gov. Tim Walz and Republican Party-endorsed candidate Scott Jensen are set to take on perennial candidates from their respective parties.



Michael Vosburg / Forum Photo Editor

Minnesota Gov. Tim Walz visits the fire station Dec. 3 in Dilworth to talk about the bonding bill that could help finance its replacement.

The two presumptive candidates squared off in a debate Tuesday morning, Aug. 2, taking on issues such as the econ-

omy, government regulations and Minnesota's response to the COVID-19 pandemic. And they **ADVANCE:** Page A9

## Where to cast your ballot

By Andrew Haugland  
The Forum

MOORHEAD — Minnesota voters will have the opportunity to cast their ballots for the primary election on Tuesday, Aug. 9.

Polls will be open from 7 a.m. to 8 p.m. Voters can check their registration status online at [mnvotes.sos.state.mn.us/VoterStatus.aspx](http://mnvotes.sos.state.mn.us/VoterStatus.aspx).

Voters will be narrowing the field of candidates for the U.S. House of Representatives and various statewide offices including governor, attorney general and secretary of state ahead

of the November general election.

Following the retirement of Democratic Sen. Kent Eken, a new candidate will soon be representing District 4 in the state Senate.

District 4 encompasses Moorhead and most of Clay County, western Becker County, along with Detroit Lakes, Audubon and Lake Park.

State DFLers endorsed Rob Kupec, former TV meteorologist at KVRN-TV, to replace Eken, while Republicans endorsed former Moorhead City Council **VOTE:** Page A10

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### Today's weather



Cloudy  
Details, B12



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(Suggested retail price)  
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## Despite financial stress, guardians do important work in ND, agencies say

By David Olson  
The Forum

JAMESTOWN, N.D. — Professionals who provide guardianship services in North Dakota say even though agencies are under financial stress and at least one company was successfully sued for fraudulent conduct, many guardians remain dedicated to protecting the interests of the most vulnerable.

"On the whole, guardians are doing work after meeting rigorous requirements and



Haut

standards and are answerable not just to those agencies that certify and accredit, but to each other as well," said Margot Haut, president of the Guardianship Association of North Dakota and director of Guardian Angels Inc., a guardianship and conservatorship

**STRESS:** Page A9

## FARMLAND FOR SALE

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**BUSINESS:**  
Fargo developers build hempcrete home. **PAGE C1**

**ADVANCE**

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seemed to set their gaze past Tuesday's primary toward their expected match-up in November.

Walz is set to take on Ole Savior in the Democratic-Farmer-Labor primary, and holds a multi-million dollar fundraising advantage over the frequent candidate for governor and U.S. Senate.

The governor has stood behind the work he's done during his first four years in office, working with a divided state Legislature, navigating the pandemic and response to social unrest following George Floyd's killing and turning a \$9 billion state budget surplus. Savior has been relatively silent during the primary campaigning window.

Jensen will square off against fellow GOP candidates Joyce Lynne Lacey and Bob "Again" Carney Jr.

Jensen, a medical doctor and former state senator, has centered his campaign on "healing Minnesota" from some of the economic and social effects that stemmed from state COVID-19 mitigation measures and overly strict state regulations more broadly.

Lacey said part of her campaign has not solicited donations because she believes elected offices should be earned based on candidate integrity rather than campaign fundraising. She ran a relatively quiet campaign ahead of the primary and took issue with



Scott Jensen, a 2022 candidate for Minnesota governor, speaks to an audience at the Northern Pacific Center in Brainerd in this 2021 file photo.

not being invited to join a debate at Farmfest. Meanwhile, Carney Jr. will run "again" — he has previously run for several elected offices, including a most recent bid to replace late U.S. Rep. Jim Hagedorn in Congress.

He has split from the pack in voicing opposition to former President Donald Trump and calling for Trump to stand trial for his role in the Jan. 6, 2021, Capitol insurrection.

Voters in the Grassroots

Legalize Cannabis Party primary and the Legal Marijuana Now Party primary on Tuesday will also decide which candidates could best represent them in the general election.

Before you head out to the polls or fill out your absentee ballot, here's a look at who will be on each party's ticket. Minnesota voters can only vote in one party's primary contest.

**DFL candidates**

► Tim Walz and Peggy Flanagan

**GOP candidates**

► Scott Jensen and Matt Birk  
► Joyce Lynne Lacey and Kent Edwards  
► Bob "Again" Carney Jr. and Captain Jack Sparrow

**Grassroots Legalize Cannabis candidates**

► Darrell Paulsen and Ed Engelmann  
► Steve Patterson and Matt Huff

**Legal Marijuana Now candidates**

► Chris Wright and L.C. Lawrence Converse  
► James McCaskel and David Sandbeck

Voters can get more information about where to vote and about what will be on their primary ballot on the Minnesota secretary of state's website.

Follow Dana Ferguson on Twitter @bydanaferguson, call 651-290-0707 or email dferguson@forumcomm.com.

**STRESS**

From Page A1

service in Jamestown.

Guardian Angels has a staff of seven, five of whom are certified guardians, according to Haut, who added that the Guardianship Association of North Dakota includes about 50 individuals, some of whom are family members of those they serve while others work through guardianship agencies.

About 23 of the 50 guardians who are members of the association work through Catholic Family Charities North Dakota, which has two separate programs, one for adults with intellectual disabilities and another that services individuals with mental health issues, the elderly and individuals who have suffered traumatic brain injuries.

Other corporate guardianship agencies that are members of the Guardianship Association of North Dakota include Guardian Protective Services, Lighthouse Associates, Lutheran Social Services of Minnesota, Opportunity Foundation, Family Advocacy Services and Veronica Miller, a professional guardian.

With a staff of seven, two of whom are nationally certified guardians, Guardian Protective Services provides a number of financial services for its clients, according to

Karissa Azure, finance director at the agency

"We handle anything from selling property to managing bank accounts," Azure said.

When it comes to handling real estate, Azure said Guardian Protective Services always involves people from outside the agency, including attorneys, to help establish a fair value for a property to determine, for example, whether land is being rented for the right price.

Donna Byzewski, director of the guardianship division/intellectual disabilities of Catholic Charities North Dakota, echoed Azure's sentiments.

"We have to look beyond our entities to provide services," Byzewski said.

The ardor with which Haut, Azure and Byzewski stress the professionalism of North Dakota guardians comes in the wake of an \$800,000 civil judgment in a lawsuit a North Dakota family filed against DKK Guardianship and Conservatorship Services, a Jamestown-based agency founded by Delyte Koropatnicki.

In that case, Lana Hylden of Park River filed a suit in 2018 in state court claiming DKK Guardianship and Conservatorship Services, as well as Koropatnicki and her husband, Tim, mishandled the administration of a trust established by Hylden's mother, the late Janice Hofmann.

The suit also claimed the couple charged dubious fees to the trust that they did nothing to earn.

In November 2021, state District Judge Tristan Van de Streek ruled "there were serious improprieties by defendants which not only bolster the conclu-

sion that they committed a breach of trust, but also behaved fraudulently."

According to court records, the total dollar amount the court deemed defendants were found responsible for in the civil case was more than \$843,000.

As the case was making its way through an appeal, the parties came to an agreement in early July that put the case to rest.

It is not clear from court records how much Hylden ultimately may have received in the case, though one document filed with the court indicates \$45,000 that was seized by the Stutsman County Sheriff's Office was to be released to her.

In addition to the civil case in state court, federal court records show the Koropatnickis were convicted in 2015 of charges relating to the misuse of a client's electronic benefit transfer card.

After the Koropatnickis were charged in federal court in 2014, state judges removed DKK Guardianship and Conservatorship Services from a number of guardianship cases, but because of a shortage of private guardianship services, many cases were given back to DKK, according to Sally Holewa, North Dakota state court administrator.

Holewa has said that regardless of how the

civil case against the Koropatnickis and DKK was resolved, it was likely judges will continue to allow the company to handle guardianship cases, simply because there are no alternatives.

Delyte Koropatnicki has said neither she nor her husband would comment on the court cases, but she confirmed there is a shortage of businesses willing to take on guardianship cases in North Dakota, and filling that need is the aim of the business she founded and co-owns.

Cynthia Feland, a state district court judge who is also the chair of a guardianship work group that has explored ways the state of North Dakota might bolster resources for guardianship services, has strongly advocated for creating an independent state office to address guardianship needs.

In testimony before lawmakers, Feland stated: "In the direst of situations, professional guardians have stepped up and agreed to take on the case without being provided any additional compensation."

Azure said such situations are not unusual for Guardian Protective Services, the agency she serves.

**Need outpaces funding**

In the case of low-in-

come clients, Azure said Guardian Protective Services receives about \$300 a month from state funds to manage everything for the individual, from personal finances to health care.

She said in complicated cases, if the agency were to charge its regular hourly rates, the cost could be \$2,000 to \$4,000 a month, "and we only get \$300."

If a vulnerable person ends up in a hospital or other facility and no one can be found to make important decisions for them, costs to those facilities can also balloon quickly, according to Haut.

She said in one case, a 90-year-old man was admitted to a nursing home 100 miles from his home because of head trauma that did not allow him to vocalize his needs.

Because of the man's inability to communicate, Haut said, the facility involved was duty-bound to take all life-sustaining measures whenever a medical issue arose.

"In an emergency appointment, we were able to assist in addressing these (life or death) decisions," Haut said,

referring to Guardian Angels, the agency she heads.

In that particular case, she added, Guardian Angels was able to transition the individual to a skilled-care facility where he continues to reside.

According to Haut, the civil case involving DKK is an anomaly when it comes to guardianship services in North Dakota, and she noted the business is not a member of the Guardianship Association of North Dakota.

And while she and others in the industry feel the idea of an independent state agency to oversee guardianship services has merit, they say the more pressing issue is the need for more dollars.

"It's the funding sources that are lacking. We need funds to move forward to meet the need of providing guardianship services," Haut said.

Byzewski agreed, noting funding for a commission would be expensive at a time when funding is needed "to directly serve those vulnerable adults who have no money."

Readers can reach reporter David Olson at 701-241-5555.



Azure



Byzewski

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## The problem is the guns

It's time for action. Enough is enough. We need to do a better job of trying to stop heartbreaking massacres, such as the recent ones in Buffalo and Uvalde. The Republican strategy is to send thoughts and prayers and then do nothing. Doing nothing is not working. The carnage that occurs in the U.S. does not happen in the rest of the world. Every day, 110 Americans are shot to death. The gun homicide rate in the U.S. is 26 times that of other high-income countries. There have been a horrifying 230 mass shootings just this year.

Republicans often use the mental health excuse. Are Americans significantly more mentally ill than the rest of the world? No. The problem is the guns. You can't commit mass murder unless you have the weapons to do so. In the U.S., it's too easy to get those weapons. It should come as no surprise that Americans possess half of the civilian-owned guns in the world. The Uvalde shooter had an AR-15 style assault rifle and a frightening 1,600 rounds of ammunition.

We desperately need common sense gun control laws. That means expanded background checks, a ban on assault weapons, red flag laws, increasing the firearm purchase age to 21 and limiting magazine capacities. Most Americans want these laws, but Republicans in Congress block them.

Republicans also hide behind the Second Amendment, which they have distorted and perverted. That amendment was never designed so that Americans could slaughter children in their schools or people shopping for food.

In 1991, conservative former Supreme Court Chief Justice Warren Burger said, "The gun lobby's interpretation of the Second Amendment is one of the greatest pieces of fraud, I repeat the word fraud, on the American people by special interest groups that I have seen in my lifetime. The real purpose of the Second Amendment was to ensure that state armies—the militia would be maintained for the defense of the state. The very language of the Second Amendment refutes any argument that it was intended to guarantee every citizen an unfettered right to any kind of weapon he or she desires."

The trouble is cowardly Republicans are attached to the hip of the gun lobby. That includes North Dakota Sens. John Hoeven and Kevin Cramer. Hoeven said, we need "to keep guns out of the hands of criminals and people who are mentally ill," while protecting constitutional rights. Yawn. Translation: Let's do nothing new.

Cramer called the Texas shootings "evil and sick." Not good enough.

In 2013 Cramer pathetically said, "The United States Supreme Court sanctioned abortion on demand, and we wonder why our culture sees school shootings so often." Sure. Let's see if school shootings stop when Roe v. Wade is overturned.

After another brutal war against neighboring Arab countries in the 1970s, Israeli Prime Minister Golda Meir was asked when there will be peace. Her answer was, "Peace will come when the Arabs love their children more than they hate us."

Likewise, mass shootings will drop here when Republicans love our children more than they hate common sense gun laws.

Shaw is a former WDAY TV reporter and former KVRR TV news director.



JIM SHAW

## ND's legal guardianship program is a disgrace that demands action

North Dakota has allowed itself to be in the inexcusable and disgraceful position of depending on a disreputable firm to provide guardianship services to ostensibly protect the interests of vulnerable adults.

We say ostensibly because the firm that the state has come to rely upon heavily for guardianship services has more than a checkered history. As reported by The Forum's Dave Olson, Tim and Delyte Koropatnicki and their firm, DKK Guardianship and Conservatorship Services, have a criminal record and also have civil judgments for bilking some of their clients.

Court records reveal that the Koropatnickis have demonstrated a repeated pattern of exploiting vulnerable clients for their own financial gain.

The couple, who live in the Pingree, N.D., area, were convicted in 2015 of misusing a client's electronic benefit transfer card through their company.

In a civil case, which the Koropatnickis are appealing, they were ordered to pay a judgment of \$800,000 for breach of trust and fraudulent actions in handling a family trust.

After being charged in federal court in 2014, a state judge removed DKK Guardianship and Conservatorship Services from a number of guardianship cases — but some of the cases were handed back because of the dire shortage of guardianship services, leaving court officials no choice.

### OUR VIEW

Breach of trust. Fraudulent actions. Misuse of funds. And there's more.

Last year, a judge found the couple violated their federal probation by continuing to engage in transactions in a family trust. The family lost \$150,000 in rental income on land the family owned because of the underhanded way the trust was managed.

Land from the trust was rented at below-market rates to a man Tim Koropatnicki had dealt with personally.

It's grossly negligent on the part of North Dakota officials that they have knowingly allowed this appalling situation to continue — despite repeated legal actions documenting malfeasance. In response, officials have done little more than shrug.

It's admittedly a difficult problem to solve, and will require reputable and able people who are willing to assume the responsibility of serving as guardians.

Until the 1980s, counties were responsible for providing guardians, a system that was discontinued. The state rejected the idea of creating a state guardianship program in 2013, deciding instead to provide funding for private guardians, with funding capped at 120 cases.

Clearly, the need isn't being met, although a new guardianship company supposedly has been attracted to North Dakota and Lutheran

Social Services of Minnesota has picked up a few cases.

During the last legislative session, lawmakers rejected a proposal to create a state guardianship commission, leaving this dire problem unaddressed except for a judicial working group that tries to plug the gaping holes in the system.

There clearly is a need for the state to move — quickly and aggressively — to fill the void. We noted that the South Dakota Department of Human Services allows family members or other interested parties to petition a judge who decides whether the person is suitable to serve as a guardian or conservator.

Failing that, however, the South Dakota Department of Human Services is authorized to step up and fill the important guardianship and conservatorship roles.

Ultimately, this will take legislative action. The next session doesn't convene until 2023. The North Dakota Department of Human Services should spearhead an effort to identify solutions, with an eye toward implementing any steps that can be taken administratively, followed by legislative proposals.

North Dakota's failure to provide reliable and reputable guardianship services is an appalling dereliction of duty. It cannot go on unaddressed.

Editorials represent the views of Forum management and the Editorial Board.

## It's time for change on our school boards

Given what is happening to public education, your votes for school board members this June 14th is very important.

Not only can it have a dramatic impact on your tax bill, because schools command the lion share of our property taxes; but most importantly, we need to return common sense to school governance. Sadly there are some school board members, administrators and teachers that think they know best, not parents.

This woke agenda is infiltrating our schools. From critical race theory to gender confusion, it's time to take our schools back. Take the time to make sure you know the candidates and what they stand for and arm yourself with information before you vote.

Since I am a resident of Fargo, I'll walk you through who will get my votes: One incumbent and four challengers for the five positions open. And it's time for a re-boot. Most Fargo School Board members and administrators spent the COVID-19 era ignoring parents and shouting them down. The arrogance knew no bounds. And a handful of their cheerleaders in the media pretended the parents were in the wrong and defended their abhorrent actions. It's up to us to vote accordingly.

The candidates that have best demonstrated their leadership capability in listening to parents, are "A" for Allie Ollenburger, "A" for Alexis Scott, "D" for Deven Styczynski, "D" for incumbent David Paulson and "S" for Kristin Sharbono. AADD is my voter guide.

Ollenburger is a 2003 graduate of Fargo Public Schools.

"When I first started this, it was me standing up for the people that couldn't necessarily stand up for themselves," she said when talking about the teachers at Fargo Public Schools, many of those whom feel they are not empowered to stand up about the current issues they're facing with Fargo Public Schools. "I was a loud voice that was able to stand up for them."

Scott moved to Fargo in 2017, and has four sons between the ages of 3 and 12 in the Fargo Public School District. She is focusing her campaign on three areas — amplifying family and staff voices, addressing achievement gaps among multicultural students, and engaging parents and families to be active partners in their students' learning journey.

Styczynski's main objectives are the reform and transparency of the district's curriculum, implementation of HCR 3049 (a resolution recognizing parents as chief stakeholders of the future and education of their children) and the removal of the board stipend for alternative purposes.

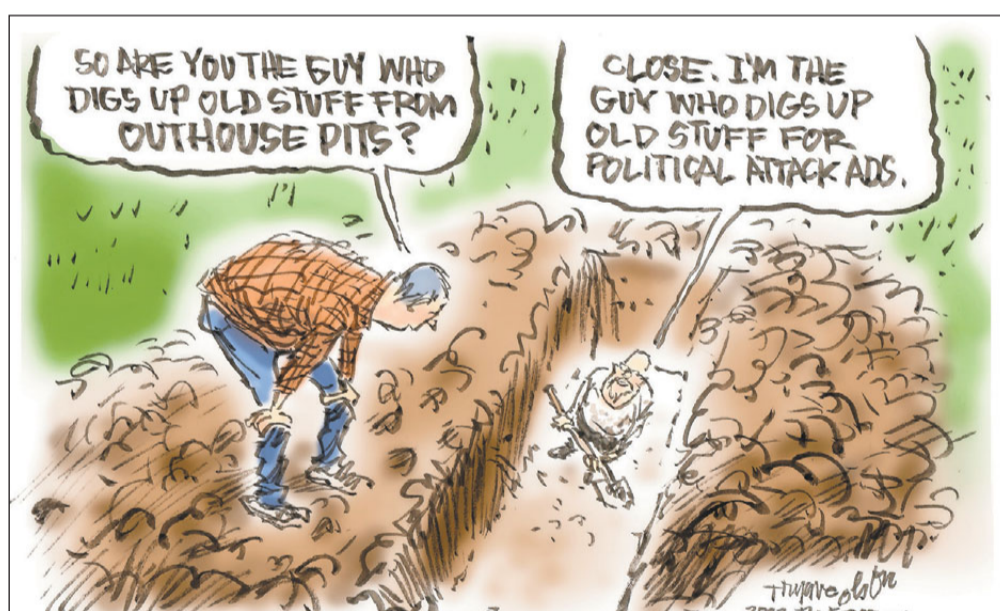
Paulson, an incumbent, was a teacher for 35 years. He was first elected to the Fargo School Board in 2014. His vision includes looking out for teachers in the school district. The former educator in West Fargo Schools says prioritizing teachers' wages, mental health and stability inside Fargo Schools would work to create a "Gold Star District" that others across the state, and country, would want to model themselves after, Paulson told WDAY Radio.

Sharbono's platform consists of restoring the focus on learning, curriculum review and transparency, strengthening parental involvement, and community and extracurricular activities. She has three children attending Fargo Public Schools.

Scott Hennen hosts the statewide radio program "What's On Your Mind?" On AM 1100 "The Flag", KFYZ AM 550, AM 1090 KTGO "The Flag" and AM 1460 KLTC. Email him at ScottH@FlagFamily.com



SCOTT HENNEN



### LETTERS TO THE EDITOR

#### It's rich that Salonen wrote a column about women's shame

By Hilary Ray Moorhead

I am writing in response to Roxane Salonen's May 27th column in which she shared the abortion stories of a trio of women who report regretting their terminations.

She states, "these women carry a 'shameful secret,' causing them to live, both prior to and after the abortion, in silence and fear."

The disingenuousness is breathtaking — these women feel shame because people like Salonen stigmatize abortion and insist on presuming to know more about the bodies and lives of pregnant people than they do.

True emancipation can only begin through sharing the truth? Here's mine.

In common with an estimated 1 in 4 women in America, I had an abortion. I was a fully employed, married adult at the time, but it was clear to me that if I carried my pregnancy to term, I would never be able to leave my abusive alcoholic husband, and my nearest family was 1,500 miles away. My abortion allowed me to move out and start anew, and years later allowed me to give birth to a planned and fervently wished-for child with a loving and supportive partner. My abortion was the most pro-life action I have ever taken.

My gratitude for that ability is one reason I escort patients at the Red River Women's Center. In doing so, I express my respect for their decisions, based on analysis of their own situations and lives.

If Salonen wants women to stop suffering debilitating shame, she and her cohort can stop harassing people who have made the decision that was right for them, that worked for their lives, in accordance with their faith — or lack thereof.

To paraphrase Paul Anka, "Regrets, I've had a few But my abortion Ain't among 'em."