

PROCEEDINGS OF THE FOSTER COUNTY BOARD OF COMMISSIONERS

July 15th, 2025

At 3:30pm, Madam Chair Hagel called the Foster County Commission meeting to order. Roll call included Commissioner Paul Roller, Commissioner Pat Copenhaver, Commissioner Becky Hagel, Commissioner Alan Scanson and Commissioner David Utke. Also present was Foster County Auditor/Treasurer Ellen Roundy, Road Superintendent Nate Monson via phone, Foster County Independent Reporter Nathan Price and Michael Rivinius, Wold Engineering, via phone.

The meeting began with approval of the minutes for the July 1st Commissioner Meeting. Commissioner Copenhaver motioned to approve the minutes, seconded by Commissioner Roller. All voted aye and the motion passed.

Commissioner Copenhaver motioned to approve the bills seconded by Commissioner Utke. All voted aye and the motion passed.

38885	ARROWWOOD PRAIRIE CO-OP	1,096.23
38886	BRISS OIL COMPANY	194.50
38887	C & J OIL COMPANY	9,558.12
38888	CARRINGTON MOTORS INC	100.00
38889	CITY OF MANDAN ASSESSING OFFICE	225.00
38890	DAKOTA CENTRAL TELECOM I	17,886.25
38891	DENNIS SWANSON	426.53
38892	FOSTER COUNTY INDEPENDENT	1,061.47
38893	INFORMATION TECHNOLOGY DEPT.	1,134.15
38894	JAMESTOWN COMMUNICATIONS INC.	62.50
38895	MATTHEW BENDER & CO., INC.	267.31
38896	MIDSTATES WIRELESS	1,126.04
38897	NAPA AUTO PARTS	473.03
38898	ODP BUSINESS SOLUTIONS, LLC	52.67
38899	OFFICE OF THE ADJUTANT GENERAL	16,585.94
38900	OK TIRE STORE	959.50
38901	PAT BIEL TRUCKING INC.	500.80
38902	PATRIOT FUELS	213.09
38903	RUNNING'S SUPPLY, INC.	300.87
38904	SIDWELL COMPANY	455.00
38905	SOFTWARE INNOVATIONS	2,500.00
38906	STUTSMAN CO. CORRECTION CENTER	1,200.00
38907	TOM GILBERTSON & SONS	556.00
38908	WILLIAM J GALE	273.30

Commissioner Utke requested to add building project update under Commissioner Discussion. Commissioner Scanson requested to add employee salaries under the Commissioner Discussion. Commissioner Copenhaver motioned to approve the agenda with the additions, seconded by Commissioner Roller. All voted aye and the motion passed.

Old Business

There was no update on the lots by Juanita Lake. The tables for the community room have arrived and the BOCC will arrange the room for how they see fit before ordering any IT equipment.

New Business

Nate Monson, Road Superintendent, provided an update on the department via phone. Due to the hot weather and volume of traffic the department put down forty yards of sand on 3/8 of a mile on the south Bordulac Road. Michael Rivinius and Jon Martin, Wold Engineering, provided information to the BOCC regarding the Flex Funding application. Discussion included areas of most concern. Monson noted that the first four to five miles of the Barlow Road would be top priority. Discussion also included the bridge list that Commissioner Hagel provided. The consensus is to have Wold Engineering draft up an application for the miles on Barlow and then Topp Bridge (16-122-05.0) which is located on the Grace City highway south of Grace City roughly one and a half miles and Gross Bridge (16-105-16.1) which is located seven miles south of Carrington and a little over a mile west on County Gravel Road. Wold Engineering will start the application process and provide the BOCC with an update.

Auditor/Treasurer Ellen Roundy provided an update to insurance amounts from Chad Hoornaert. NDIRF increased the building replacement costs from 2023 an additional 2.5%. The additional cost will not exceed \$4,900, which is just a few hundred dollars more than expected. Commissioner Copenhaver motioned to approve the increase seconded by Commissioner Utke. All voted aye and the motion passed. Roundy presented Resolution 2025-1 for SB 2180 regarding public comment at a regular commission meeting:

WHEREAS, Foster County, (the "County") is a political subdivision under Article VII of the North Dakota Constitution; and

WHEREAS, as a North Dakota political subdivision, the County is subject to North Dakota's open meeting requirements under Chapter 44-04 of the North Dakota Century Code; and

WHEREAS, during the 2025 Legislative Session, the North Dakota Legislature approved Senate Bill 2180, a bill that includes a new public meeting requirement in Chapter 44-04 for cities, counties, townships, school districts, park districts, and water resource districts (the “Public Entities”); and

WHEREAS, under SB 2180, at every regularly scheduled meeting, the Public Entities must include an opportunity for public comments, including time limits for public speakers, total meeting time limitations for public comment, rules regarding permissible topics, and rules of decorum; and

WHEREAS, as a political subdivision, the County must comply with SB 2180 and approves this RESOLUTION OF POLICY in compliance with the public comment policy requirements under SB 2180.

THEREFORE, BE IT RESOLVED that this RESOLUTION OF POLICY represents the County’s official policy regarding public comments at regular board meetings as mandated under SB 2180.

BE IT FURTHER RESOLVED that the County’s policy under this RESOLUTION OF POLICY ensures the public’s right to speak at a regular meeting and ensures the public comment process is orderly, efficient, and respectful.

BE IT FURTHER RESOLVED that the County approves the following policy regarding public comments at the County’s meetings under SB 2180.

1. The County will include a public comment agenda item as the first non-procedural agenda item at all regular meetings of the County.
 - a. “Regular” meetings include the County’s regularly scheduled bi-monthly meetings, as approved by the County and filed as required under NDCC 11-11-05 and 44-04-20 (3).
2. Each person interested in providing public comments at a meeting must submit a speaker card, in person or via email, to the County Auditor/Treasurer prior to the meeting being called to order that includes:
 - a. The person’s name; and
 - b. The person’s address; and
 - c. An agenda item from the current meeting agenda or the immediately preceding meeting agenda that the person seeks to address.
3. If a speaker card does not include all three items above, the person is disqualified, and the person may not speak at the meeting.
4. The County will afford each person three minutes to provide comments. The County will notify each speaker when the three minutes have expired, and the speaker will promptly conclude. During a meeting, the Chairman shall have the discretion to abbreviate or extend such time if necessity requires the same.
 - a. All comments and questions must be directed to the chairperson. The chairperson will determine the need for a response and the appropriate individual to do so.
5. To ensure orderly and efficient meetings, the County will limit the public comment agenda item to a total of thirty minutes, regardless of how many people have submitted speaker cards.
6. The County will call on each person who has properly submitted a completed speaker card to present public comments, in the order of submission.
7. All comments must:
 - a. Address the agenda item identified on the speaker card, from the current meeting agenda or the immediately preceding meeting agenda; and
 - b. Be pertinent to the County.
8. Comments may not:
 - a. Be defamatory, abusive, harassing, or unlawful;
 - b. Include information that is exempt or confidential under North Dakota Open Records or open meetings law; or
 - c. Interfere with the orderly conduct of the County’s meeting
9. Speakers may not yield their allotted time to another person.
10. Anyone unable or unwilling to speak in-person may submit written comments to the County Auditor/Treasurer prior to the meetings; the written comments must include the person’s name and address and must be pertinent to an agenda item from the current meeting agenda or the immediately preceding meeting agenda. If a person submits written comments to the County Auditor/Treasurer at least twenty-four hours prior to the County’s meeting, the County Auditor/Treasurer will circulate and distribute the comments to the County Commissioners prior to the meeting and the County will address and discuss the comments at the meeting. If a person submits written comments to the County Auditor/Treasurer less than twenty-four hours prior to a meeting, the County will have the discretion not to address or discuss the comments at that meeting.
11. If no public comment comes before the County, the agenda will immediately move forward with the next item listed.

BE IT FURTHER RESOLVED that this RESOLUTION OF POLICY supersedes any of the County’s previous policies or practices regarding public comments at the County’s meetings.

Dated at Carrington, North Dakota, this (15th day of July 2025).

Commissioner Scanson motioned to approve the resolution seconded by Commissioner Copenhaver. All voted aye and the motion passed. Roundy provided the BOCC with the county’s pledge of assets. Commissioner Roller motioned to approve, seconded by Commissioner Copenhaver. All voted aye and the motion passed. Roundy noted that a CD is coming due on July 22nd at Bank Forward. Options she recommends are a seven month at four percent, twelve months at three-point nine percent or pulling it and putting it into the sweep account at Bremer. Commissioner Scanson motioned to continue the CD at Bank Forward with the seven-month CD at four percent, seconded by Commissioner Roller. All voted aye and the motion passed. The county must set the date for a budget hearing between September 7th and October 7th. Commissioner Utke motioned to have the Foster County Public Hearing on Budgets set for Thursday, September 25th at 6:00 PM, seconded by Commissioner Roller. All voted aye and the motion passed. Roundy presented a partial payment letter that her office would like to include with the multiple taxpayer list. It reiterates what the office is responsible for and what the taxpayer is responsible for. Commissioner Copenhaver motioned to approve the letter seconded by Commissioner Utke. All voted aye and the motion passed.

Commissioner discussion included selecting the NDACo voting delegate for the county. Commissioner Copenhaver motioned to appoint Auditor/Treasurer Roundy as the voting delegate, seconded by Commissioner Roller. All voted aye and the motion passed. Northern Plains had submitted information for a utility permit. Road Superintendent Monson had stated earlier that he has no issues with the project. Commissioner Copenhaver motioned to approve the utility work for Northern Plains, seconded by Commissioner Scanson. All voted aye and the motion passed. Commissioner Utke provided an update on the basement project. The consensus from the BOCC is that they will find someone to paint in the hallway coming up the stairs. Commissioner Hagel will request blind samples for the Community Room. Commissioner Scanson would like the BOCC to consider each department head to determine the rate of increase for employees. Additional discussion included completing annual evaluations and implementing performance improvement plans. Discussion will be tabled until the next meeting. Commissioner Copenhaver noted that McHenry may not be receiving meals on wheels after September. The delivery driver is going to retire. Commissioner Hagel would like the board to try and find someone to deliver meals for the McHenry area.

With no further business, Madam Chair Hagel adjourned the meeting at 4:54 pm.

Ellen Roundy
Foster County Auditor/Treasurer

Becky Sue Hagel, Madam Chair
Board of County Commissioners