

PROCEEDINGS OF THE FOSTER COUNTY BOARD OF COMMISSIONERS

August 5th, 2025

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

The meeting began with approval of the minutes for the July 15th Commissioner Meeting. Commissioner Roller motioned to approve the minutes, seconded by Commissioner Scanson. All voted aye and the motion passed.

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

38960	AMAZON CAPITAL SERVICES, INC.	335.91
38961	AUTO VALUE PARTS STORE	355.06
38962	AVID HAWK, LLC	35.00
38963	BREMER INSURANCE AGENCIES, INC.	11,432.00
38964	BRINSTER LAW, P.C.	104.72
38965	C & J OIL COMPANY	10,395.66
38966	CENTRAL BUSINESS SYSTEMS	122.86
38967	CENTRAL CITY LUMBER INC.	23.58
38968	CMF	5,601.90
38969	COMPUTER EXPRESS	1,136.98
38970	DACOTAH PAPER COMPANY	80.07
38971	EVANS FUNERAL HOME	2,470.00
38972	FOSTER COUNTY TREASURER	1,873.34
38973	HEARTLAND HEATING & COOLING	881.50
38974	HIGH PLAINS EQUIPMENT	886.18
38975	JERROD HOLTE	81.20
38976	JOEL GUSSIAAS	449.70
38977	KELTON ROY HAGEL	800.00
38978	MIDSTATES WIRELESS	163.50
38979	ND ASSOCIATION OF COUNTY AND TRIBAL VSO	120.00
38980	NDSU EXTENSION SERVICE.	10,742.12
38981	ODP BUSINESS SOLUTIONS, LLC	599.83
38982	OFFICE DEPOT	523.32
38983	OK TIRE STORE	197.24
38984	PATRIOT FUELS	245.79
38985	QUADIENT FINANCE	1,003.00
38986	QUILL CORPORATION	246.80
38987	RDO EQUIPMENT CO.	5,445.87
38988	RESIDENCE INN	440.00
38989	RUNNING'S SUPPLY, INC.	728.98
38990	SIDWELL COMPANY	2,707.78
38991	STUTSMAN CO. CORRECTION CENTER	224.00
38992	STUTSMAN COUNTY AUDITOR	2,000.00
38993	TOM GILBERTSON & SONS	1,865.00
38994	US RECORDS MIDWEST LLC	2,273.72
38995	VANGUARD APPRAISALS, INC.	6,175.00
38996	WESTERN DAKOTA ENERGY ASSOCIATION	500.00
38997	WILLIAM J GALE	300.30
38998	WOLD ENGINEERING, P.C.	1,750.00

Commissioner Utke motioned to approve the agenda, seconded by Commissioner Scanson. All voted aye and the motion passed.

Old Business

There was no update on the lots by Juanita Lake. Commissioner Scanson noted that Dennis Swanson has been doing an outstanding job at Juanita Lake for the County. The beach has been cleaned up among many other items and he deserves recognition. The BOCC requested that Auditor/Treasurer Roundy reach out to Jamie Nelson with Computer Express for IT options in the community room now that the tables have arrived and been arranged.

New Business

Nate Monson, Road Superintendent, provided an update on the department. Out of the last fifteen days the county has seen rain for nine of them. Commissioner Utke provided a data sheet for durapatching in 2025. Discussion was had on the bridge project and flex funding project. The BOCC will need to decide their match amount for the Flex Funding application by the next meeting. CPKC has provided the BOCC with a response to their \$2.7 million request. CPKC still believes \$225,000 is adequate payment to the county for damages. Commissioner Utke would

like the BOCC to have a special meeting regarding the issue. The BOCC has set a special meeting for Wednesday, August 13th at 8:00 AM at the Foster County Courthouse.

Auditor/Treasurer Ellen Roundy asked the BOCC if they would be OK with switching with Emmons County and hosting the next Six-County Meeting. The consensus was that it was good with the board, and they would like to have Roundy reach out to the Chieftain for the meeting location and meal. Roundy presented the preliminary 2025 budget to the BOCC for approval. The valuation for Foster County is \$35,152,488 which is an increase from 2024's valuation of \$32,500,075. HB1176 allows a three-percent increase from the previous year budgeted dollar amount. The calculation can be figured from the base year calculation which includes the last three-year levy dollar amount or an adjusted year calculation which considers properties added to the tax year and removed from the tax year. For Foster County, the adjusted year calculation provided some additional funding beyond the base year calculation. The general fund levy is currently set at \$987,317.97 compared to last year's dollar amount of \$959,567.76. Roundy presented the combined county funds preliminary budget at \$3,035,828. Commissioner Copenhaver motioned to approve the preliminary budget at \$3,035,828, seconded by Commissioner Scanson. All voted aye and the motion passed. Roundy provided an update that the county should be receiving funding from the state for the replacement of culverts from back in 2022. Michael Rivinius, Wold Engineering, has been working on getting the reimbursement since 2023.

Karen Evans presented three abatements to the BOCC. Chaz Bauer and Taylor Sabinash for \$182.19, Leo and Julie Laube for \$660.44 and two for Bobbie Joe Theis for \$50.91 and \$46.37. Commissioner Copenhaver motioned to approve all abatements seconded by Commissioner Scanson. All voted aye and the motion passed.

Commissioner discussion included closing of the section lines from the public hearing held on August 5th, 2025, at 3:00 PM. Commissioner Utke felt he received clarification on the public benefit portion requirement. Foster County State's Attorney Kara Brinster noted that it is not as unique as Lee Wahlund, however, there are special circumstances that surround this situation and the Township also signed off on approving the closure. Roundy presented the following resolution to the BOCC:

WHEREAS, the petition was duly and properly submitted to the Foster County Board of County Commissioners pursuant to N.D.C.C. § 24-07-03; and

WHEREAS, the Foster County Board of County Commissioners having published a Notice of Public Hearing in accordance with law, and a public hearing having been held on August 5th, 2025, according to the published notice of public hearing, and having considered the petition and any support and opposition thereto;

WHEREAS, the Foster County Board of County Commissioners, after having held a public hearing on the matter, makes the following findings: there is public benefit in closing the herein described section line; that said section line has not been used for over ten years; that said section line is not traveled due to natural obstacles or difficulty of terrain and/or readily accessible alternate routes of travel; that said section line does not deprive adjacent land owners of access to the landowners' property; and that after closure said section line may be used to benefit of adjacent landowners; and

WHEREAS, Commissioner Scanson moved to approve closure of the section lines requested by Petitioners and Commissioner Copenhaver seconded the motion, and having been submitted to a roll call vote of the elected County Commissioners:

Commissioner Roller – aye
Commissioner Utke – aye
Commissioner Hagel – aye
Commissioner Scanson – aye
Commissioner Copenhaver – aye

THEREFORE, BE IT RESOLVED by majority vote of the Foster County Board of County Commissioners that the petition is granted and the following section lines in Longview Township is here by closed to public travel as provided in N.D.C.C. § 24-07-03, subject to all existing easements of record and subject to the use of such section line to the benefit of adjacent landowners:

Between the NW ¼ of Section 27-145-67 and the NE ¼ of Section 28-145-67 AND between the NW ¼ of Section 33-145-67 and SW ¼ of Section 28-145-67 in Foster County, North Dakota

Dated at Carrington, North Dakota, this (5th day of August 2025).

Resolution passed. Discussion continued to work needing to be completed on the Foster County Tower. Commissioner Roller motioned to allow county officials to install the ties on the tower and to pick up the necessary equipment, seconded by Commissioner Copenhaver. All voted aye and the motion passed. Commissioner Hagel had contacted three local painters to touch up the stairwell area. Only one provided an estimate. Lois Clark submitted an estimate for \$975.00. Commissioner Copenhaver motioned to approve the work with Lois, seconded by Commissioner Utke. All voted aye and the motion passed. During the last BOCC meeting, an update was suggested to the policy manual in section 208 allowing the department head to adjust the annual increase below the recommended amount if they felt that employees were not working to standards. Commissioner Scanson motioned to approve the update seconded by Commissioner Copenhaver. All voted aye and the motion passed. Hagel construction has completed work at the ambulance building for installation of new doors. The old doors could be used in other areas of the building. The BOCC will look into options for the existing doors. The BOCC has concerns with outside entities meeting at the building and requesting employees to arrive prior to their start time or staying later than scheduled work time. Roundy will work on a policy to present to the BOCC. Commissioner Copenhaver motioned to publish the county right-of-way encroachment notice in the paper, seconded by Commissioner Scanson. All voted aye and the motion passed.

With no further business, Madam Chair Hagel adjourned the meeting at 5:12 pm.

Ellen Roundy
Foster County Auditor/Treasurer

Becky Sue Hagel, Madam Chair
Board of County Commissioners