

PROCEEDINGS OF THE FOSTER COUNTY BOARD OF COMMISSIONERS

April 23rd, 2024

At 9:00 am, Chairman Utke called the Foster County Commission Public Hearing to order. Roll call included Commissioner Becky Hagel, Commissioner Alan Scanson, and Commissioner David Utke. Also present was Foster County State's Attorney Kara Brinster, Auditor/Treasurer Ellen Roundy, Pat Biel, Lee Wahlund, and Roger Gussiaas.

Discussion was had on the section line closure. Foster County State's Attorney provided information on closing a section line. One of the following must apply to the line to be considered for closure:

- Not used for ten years
- Not traveled due to natural obstacle or difficult terrain
- Not required due to readily accessible alternate routes of travel
- Intersected by public highways that cause the section line to be a dead end.

The section line in question meets all four of the above. After the section line is closed, it may be used for the benefit of the landowner for agricultural or related purposes; survey or property reference markers may not be disturbed, removed, or destroyed. Pursuant to NDCC 24-06-28, a person may not permanently obstruct the section line without first receiving written permission from the county commission or township board. Brinster wanted to make it clear that the counties easement on the section line is permanent. Should it become necessary to construct a road on a closed section line, the county would have the ability to reopen said section line. Discussion was had on how the current landowner could plot out the land if the BOCC chooses to close the line and the reasoning behind closing a section line. Commissioner Scanson asked Lee Wahlund to state that he understands if the county closes the section line, the county will maintain the easement and Wahlund did not state either way as he wanted to review the information provided.

With no further business, Chairman Scanson adjourned the meeting at 9:35 am.

Ellen Roundy
Foster County Auditor/Treasurer

David Utke, Chairman
Board of County Commissioners