

PROCEEDINGS OF THE FOSTER COUNTY BOARD OF COMMISSIONERS

October 15th, 2024

At 3:30pm, Chairman Utke called the Foster County Commission meeting to order. Roll call included Commissioner Scott Beumer, Commissioner Becky Hagel, Commissioner David Utke, Commissioner Pat Copenhaver and Commissioner Scanson via phone. Also present was Foster County State's Attorney Kara Brinster, Auditor/Treasurer Ellen Roundy, and Foster County Independent Reporter Nathan Price.

The meeting began with approval of the minutes for the October 1st, 2024, regular meeting and October 2nd, 2024, Special Meeting. Auditor/Treasurer Roundy requested clarification on the administrative costs regarding open cuts and noted that she will make those changes. Commissioner Hagel motioned to approve both sets of the minutes with the changes, seconded by Commissioner Copenhaver. All voted aye and the motion passed.

Auditor/Treasurer Roundy stated a check was mailed to Beve Johnson for the remainder of the work completed at Juanita Lake. Commissioner Beumer motioned to approve the bills including check 37663, seconded by Commissioner Copenhaver. All voted aye and the motion passed.

37663	BEVE JOHNSON	625.00
37702	AMAZON CAPITAL SERVICES, INC.	133.71
37703	ANDREW KIRKING	160.80
37704	ARROWWOOD PRAIRIE CO-OP	1,018.38
37705	AUTO VALUE PARTS STORE	32.76
37706	BALCO UNIFORM CO., INC.	174.34
37707	BESSETTE MOTORS, INC.	154.18
37708	BRAGER DISPOSAL SERVICE	349.00
37709	C & J OIL COMPANY	9,038.32
37710	CENTRAL CITY H20+	13.50
37711	DACOTAH PAPER COMPANY	60.49
37712	DAKOTA BUSINESS SOLUTIONS EAST	253.99
37713	ELECTION SYSTEMS & SOFTWARE	3,242.99
37714	FOSTER COUNTY TREASURER	3,548.31
37715	GILBERTSON'S	3,933.00
37716	GLASS AND SCREEN REPAIR	82.98
37717	INFORMATION TECHNOLOGY DEPT.	1,134.15
37718	JUSTIN JOHNSON	189.15
37719	KAREN EVANS	55.00
37720	MY RAY CONSTRUCTION	1,400.00
37721	NAPA AUTO PARTS	648.78
37722	NDSU EXTENSION SERVICE.	6,720.62
37723	ODP BUSINESS SOLUTIONS, LLC	293.33
37724	OFFICE OF ATTORNEY GENERAL- 1250	150.00
37725	OK TIRE STORE	409.60
37726	PAT BIEL TRUCKING INC.	1,701.52
37727	RDO EQUIPMENT CO.	1,019.36
37728	RUNNING'S SUPPLY, INC.	126.01
37729	STUTSMAN CO. CORRECTION CENTER	5,700.00
37730	STUTSMAN COUNTY AUDITOR	2,000.00

Commissioner Copenhaver motioned to approve the agenda seconded by Commissioner Hagel. All voted aye and the motion passed.

Old Business

There was no update for the lots by Juanita Lake.

New Business

Road Superintendent, Nate Monson, provided an update to the BOCC. The department is continuing to durapatch and fix spots on the Bordulac Road and Murphy Highway from the train derailment. Border States is working on grinding the Club Hall Road. The department is starting to prepare equipment for the winter. Monson suggested township meetings be held on Tuesday, November 12th, the BOCC agreed, and Auditor/Treasurer Roundy will mail, email and put a notice in the paper to notify the townships. The yearly maintenance certification was presented to the BOCC. Commissioner Beumer motioned to approve signatures to certify the FAS roads, seconded by Commissioner Hagel. All voted aye and the motion passed.

Andrew Kirking, Stutsman/Foster EM, approached the BOCC regarding the Flood Plain Ordinance. Karen Evans had previously updated the BOCC on the minor changes, mainly formatting, to the ordinance. Kirking recommended an ad be placed in the paper notifying residents they can view the ordinance in the Auditor/Treasurer office. Commissioner Hagel motioned to approve the flood plain ordinance changes contingent that no one has any questions or concerns, seconded by Commissioner Beumer. Additional discussion was had on whether the ordinance names specific places like Juanita Lake. Kirking stated that there are usually separate ordinances with planning and zoning that would cover Juanita Lake. He recommended that anyone building at Juanita Lake get an engineer to sign off, this would protect both the builder and the county. All voted aye and the motion passed. Kirking has resigned as

the Stutsman County Emergency Manager. Riley Schafer who has been in the office has been named interim. Roundy spoke with Stutsman County Auditor, Jessica Alonge, and they still plan to maintain the JPA with Foster County.

Commissioner Discussion included recommendation by Jeff Gale, NDSU Extension Agent, for the NDSF Delegate. Betty Montgomery has served the position in the past and would be willing to do it again. Commissioner Copenhaver motioned to appoint Betty Montgomery as the NDSF Delegate on behalf of the Foster County Board of Commissioners, seconded by Commissioner Hagel. All voted aye and the motion passed. Commissioner Copenhaver attended a Council for the aging meeting. Foster County has been doing a great job with meals on wheels and providing rides compared to other regions. Commissioner Beumer noted that Public Health has a medical director hired. The district has also hired a nurse. Additional Discussion included the burn ban. The new language covers the need to rescind the burn ban. Roundy stated that the next six-county meeting will be held in Napoleon on December 10th at 10:00 AM.

Chris Thomas, EAPC, joined the meeting via phone. The elevator has been fixed along with pulling new electrical wires for the basement. MDU gas line will be installed in the next week with furnaces being installed too. The group discussed furniture for the new community/commissioner room. Commissioner Hagel motioned to approve an order for four, twenty-four-inch-deep tables with privacy panels, as recommended by Thomas, seconded by Commissioner Copenhaver. Roll call vote included:

- Commissioner Beumer – aye
- Commissioner Hagel – aye
- Commissioner Utke – aye
- Commissioner Copenhaver – aye

motion passed.

Dennis Swanson and Bruce Gedrose approached the BOCC regarding Foster County Property at Juanita Lake. The BOCC was made aware that there are structures located on county owned property at Juanita Lake. State's Attorney Kara Brinster notified lake owners via letter to remove the structures from County property by October 31st or it will be seized and held for forfeiture. Swanson stated that he and Gedrose do have structures located on Foster County property. He noted that over the years he has cleaned up the shelter belt and planted new trees with no prior approval from the BOCC. Swanson asked if the BOCC would be willing to rent or lease the land. Brinster stated that the land needs to be surveyed and plotted out and a rent or lease would work the same way as selling the land, it would have to be done by bid. The BOCC was appreciative of the work that Swanson has done to maintain and clean up the property, but all parties understood that it is still Foster County property. Commissioner Copenhaver asked Brinster if they could move the removal date, she is fine extending the date, however, it must be done before spring. Commissioner Copenhaver motioned to extend the removal date from October 31st to November 15th, 2024, seconded by Commissioner Hagel. Additional discussion included that if there is snow, the property must still be removed by November 15th, 2024. All voted aye and the motion passed. Brinster stated that when she talks to the surveyor regarding other property at Juanita Lake, she will get an estimate to survey the land in question.

With no further business, Chairman Utke adjourned the meeting at 4:50 pm.

Ellen Roundy
Foster County Auditor/Treasurer

David Utke, Chairman
Board of County Commissioners