

PROCEEDINGS OF THE FOSTER COUNTY BOARD OF COMMISSIONERS

September 4th, 2025

At 8:15 am, Vice-Chairman Copenhaver called the Foster County Commission Special Meeting to order. Roll call included Commissioner David Utke, 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, Garrison Diversion Representatives Steve Metzger, Kip Kovar and Scott Mehring, Gowan Construction Representatives Mike Gowan and Ward Demontigny and Foster County Resident Joel Gussiaas.

Commissioner Alan Scanson requested Steve Metzger, Garrison Diversion, explain the role of Garrison Diversion with the pipeline project. Metzger stated that Garrison works with guidance from the policies and permits that exist. Garrison does not make exceptions for convenience and are unhappy when policies are violated. Rules and regulations must be followed, or we end up in situations with miscommunication and tension. Commissioner Utke thanked Metzger and stated that in the past, when problems existed, it was largely due to an oversight on the contractor’s behalf or miscommunication. Kip Kovar, Garrison Diversion, requested information on how the meeting was initiated. Commissioner Scanson stated that Road Superintendent Nate Monson had called September 3rd, 2025, stating that while mowing on the Barlow Road, there was an outfit doing gravel going to Kensal for the Garrison Diversion project. The contractors were hauling on non-haul roads, and the county was not made aware of any hauling being done on the North Bordulac Road. The county also did not receive any permits for the equipment that was hauled in to do the work through loadpass. Kovar stated that Garrison was not aware that Carstensen Construction, a sub-contractor with Garrison, had hired Gowan Construction as a contractor with the Garrison Diversion project. Gowan Construction representative Mike Gowan stated that he takes full responsibility for bringing his business into Foster County with no notice. Discussion included creating a surcharge for all gravel pits within the county to help offset road damage expenses. Monson would like to see an agreement that helps cover labor and material costs for road patches. Commissioner Scanson motioned to allow Gowan Construction to use the North Bordulac as a haul road with the understanding that a fee will be put in place, seconded by Commissioner Utke. After further discussion Commissioner Scanson rescinded his motion. Commissioner Scanson motioned for Gowan Construction to use the North Bordulac Road as a haul road with the understanding that they will pay a fee up to \$5,000 through December 31st, 2025, for expenses incurred by Foster County to patch and repair the road, seconded by Commissioner Utke. All voted aye and the motion passed. The BOCC stated that with issues incurred by CPKC Rail not holding their end of the verbal agreement to take care of issues from the derailment that the board tends to get more excited right away when work goes on in the county that could negatively impact county roads. Gowan Construction would like to work with Foster County on a gravel pit surcharge with all gravel pits within Foster County and would like to see what the neighboring counties set for a surcharge price.

With no further business, Vice-Chairman Copenhaver adjourned the meeting at 9:12 am.

Ellen Roundy
Foster County Auditor/Treasurer

Pat Copenhaver, Vice-Chairman
Board of County Commissioners