

**PROCEEDINGS OF THE
FOSTER COUNTY BOARD OF
COMMISSIONERS
REGULAR MEETING
AUGUST 4, 2026**

At 8:00 am, Chairman Copenhaver called the Foster County Commission meeting to order. Roll call included Commissioner Paul Roller, Commissioner David Utke, Commissioner Pat Copenhaver, Commissioner Alan Scanson and Commissioner Becky Hagel. Also present was Foster County State's Attorney Kara Brinster, Auditor/Treasurer Ellen Roundy, Road Superintendent Nate Monson, Foster County Fair Board members Joel Lemer, Kyle Schroeder and Darwin Solberg and Foster County Independent Reporters Erik Gjovik and Taylor Rau.

The meeting began with approval of the minutes for the July 21st Commission Meeting. Commissioner Hagel made a motion to approve the minutes, seconded by Commissioner Utke. All voted aye and the motion passed.

Auditor/Treasurer Ellen Roundy presented lost check affidavit for check number 39829 to be included with the bills. Roundy also noted they are waiting for a correction to invoices for the Flex Funding Reimbursement #15 and requested to include those invoices once corrected. Commissioner Scanson motioned to approve the bills, including the lost check affidavit and corrected invoices for flex funding reimbursement 15, seconded by Commissioner Roller. All voted aye and the motion passed.

Bills: Advanced Business Methods, \$121.47; Amazon Capital Services, Inc., 1,726.27; Arrowwood Prairie Co-op, 93.00; Bessette Motors, Inc., 634.87; Beverly Johnson, 800.00; BNSF Railway Company, 25,970.96; BNSF Railway Company, 28,354.31; BNSF Railway Company, 5,022.88; Border States

Industries, Inc., 2,660.61; Brinster Law, P.C., 104.71.

Central City Lumber, Inc., 129.00; Corean Swart, 4.80; Ellen Roundy, 10.15; Foster County Independent, 1,365.24; Hagel Storage, 400.00; Jerrod Holte, 38.00; John Deere Financial, 80,897.91; John Deere Financial, 73.95; Lakeside Construction and Services, Inc., 4,601.00; NDSU Extension - Dept. 7510, 14,404.70; North Dakota State University, 46.85; ODP Business Solutions, LLC, 86.92.

Pamela Blinsky, 75.24; Patriot Fuels, 158.66; Running's Supply, Inc., 237.08; Sidwell Company, 195.00; Stutsman County, 2,000.00; Terracon, 3,574.00; Tom Gilbertson & Sons, 1,048.00; Travis Tesch, 102.80; Tyler Technologies, Inc., 1,500.00; US Records Midwest LLC, 2,360.81; Vanguard Appraisals, Inc., 1,050.00; Western Dakota Energy Association, 500.00; Wholesale Ag Products, 51.88; William J. Gale, 322.87; Wold Engineering, P.C., 5,736.47; Wold Engineering, P.C., 615.05.

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

Old Business

Commissioner Utke requested to keep commissioner room furniture under old business until a decision was made.

New Business

Nate Monson, Road Superintendent, provided an update to the BOCC. The month of July showed only 2.07" of rain. A resident would like to clean out the buildup of sediment in the county ROW on the South Bordulac Highway. Right now, the highway culverts are lower than the culvert in the driveway and it has caused a buildup of sediment. The landowner would do it at their own expense. Commissioner Scanson motioned to approve the work completed by the landowner,

seconded by Commissioner Roller. All voted aye and the motion passed. Monson provided information for a change order to be added to the Murphy Road project with work completed on the ½ mile south of Bordulac. Commissioner Utke motioned to approve the change order, seconded by Commissioner Scanson. Roll call vote included:

- Commissioner Roller – aye
- Commissioner Utke – aye
- Commissioner Copenhaver – aye
- Commissioner Scanson – aye
- Commissioner Hagel – aye, motion passed.

Seal Tech provided an estimate of \$115,975.00 for three miles of work on County Road 1621 from State 22 going north. Work would include preparation, applying mastic material, smoothing surface and edges and spraying to eliminate tracking. No decision was made at this time. Commissioner Utke motioned to

approve Flex Funding Reimbursement #15 with the Chairmans signature, seconded by Commissioner Scanson. All voted aye and the motion passed.

Fair Board members Kyle Schroeder, Joel Lemer and Darwin Solberg attended the meeting to provide a monthly update. Discussion continued on the buildings and repairs needed for the roofs. Foster County State's Attorney noted that NDCC states anything over \$250,000 does require an engineer or architect on the project to provide accurate specifications. Commissioner Scanson stated that the BOCC is committed to taking care of the buildings.

Auditor/Treasurer Ellen Roundy provided the BOCC with the pledge of assets. Pledging provides protection on funds and secures financing. Commissioner Roller motioned to approve the pledge of assets, seconded by

Commissioner Hagel. All voted aye and the motion passed.

Carrington Youth Football submitted a raffle permit. Commissioner Hagel motioned to approve the permit seconded by Commissioner Utke. All voted aye and the motion passed.

Roundy presented the 2026 tax year preliminary budget. The adjusted year CAP calculation provided \$2,352 more dollars to the budget at a \$91,357 increase to be split between the general fund, road fund, capital improvement fund, VSO, Agent, Weed Board, Historical Society, Public Health, CCEDC, Senior Citizens, Specials and Ambulance levies. Commissioner Roller motioned to approve the county preliminary budget at \$3,136,596, seconded by Commissioner Scanson. All voted aye and the motion passed.

Resolution 2026-02 was read:

WHEREAS, the County of Foster on behalf of its County Commission desires to enter into Agreement with the South Central Regional Council to apply for a Regional Livestock Planning Grant which the County is eligible. The Agreement further provides the County with identification of suitable locations for rural economic development, including animal feeding operations, agricultural processing and storage facilities and other agriculture related development.

NOW, THEREFORE, BE IT RESOLVED by the Foster County Board of Commissioners, North Dakota as follows:

1. Following completion of the site analysis process the county will review county and township zoning and land use regulations. The county may update any zoning or land use regulations based on recommendations of site analysis process. Additionally, Foster County will provide information to townships of said county so they may review and update zoning and land use regulations as they see fit.

2. That Pat Copenhaver, the Chairman of the County of Foster and Ellen Roundy, the County Board Clerk, are authorized to sign the Agreement.

WHEREAS, Commissioner Scanson moved to approve the resolution and Commissioner Utke 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, motion passed.

Roundy requested approval to transfer 4 mills levied from tax year 2025 and 4 mills levied from tax year 2026 totaling \$263,900.65 to the Road Capital Improvement Fund. These mills were allocated for Road projects and splitting it will keep finances cleaner. Commissioner Hagel motioned to approve the transfer, seconded by Commissioner Scanson. Roll call vote included:

- Commissioner Roller – aye
- Commissioner Utke – aye
- Commissioner Copenhaver – aye
- Commissioner Scanson – aye
- Commissioner Hagel – aye, motion passed.

Commissioner Scanson asked about putting Flock cameras in the county to try help mitigate work for Road Superintendent Monson with Garrison Diversion pipeline subcontractors traveling on non-haul roads. Commissioner Scanson motioned to approve the right of way encroachment ad in the Foster County Independent for two weeks, seconded by Commissioner Roller. All voted aye and the motion passed.

With no further business, Chairman Copenhaver adjourned the meeting at 8:58 am.

SPECIAL MEETING

AUGUST 6, 2026

At 8:00 am, Chairman Copenhaver called the Foster County Commission Special Meeting to order. Roll call included Commissioner David Utke, Commissioner Pat Copenhaver and Commissioner Alan Scanson. Also present was Foster County State's Attorney Kara Brinster, Auditor/Treasurer Ellen Roundy, Road Superintendent Nate Monson, Michael Rivinius with Wold Engineering and Foster County Independent reporter Taylor Rau.

Commissioner Utke pre-

sented a letter from Carstensen Contracting. The BOCC was made aware that Garrison had bid on the Kensal Highway mill and overlay without Board approval and prior to the contracted November 2028 date. Road Superintendent Nate Monson spoke with Michael Rivinius, Wold Engineering, on approaching the project as a payment option versus having the work done. The road project was bid for around \$1,600,000. Carstensen Contracting proposed a payment option of \$1,100,000 in place of performing the 5 mile 2" mill and overlay that was previously included in their contract with Garrison Diversion Conservancy District. Commissioner Scanson questioned how Garrison has the authority to bid road projects when they are not the owner of the road. The County and GDCC had entered into a contract and had a signed MOU dated June 2025. The scope of the MOU was that Foster County would allow GDCC to use the Kensal Highway (1621) for a haul route with GDCC responsible to repair the Kensal Highway with a 1" grind and 2" overlay after November 1st, 2028. Commissioner Utke stated that for the county to agree to the payment they would be giving up a certain amount of value that the county would then

be responsible for spending. Foster County State's Attorney, Kara Brinster, stated that the county's MOU is with Garrison. The County should not be negotiating with anyone but Garrison Diversion. Taxpayers in the state of North Dakota are paying for this project, it doesn't sit right that one government entity like GDCC is trying to take advantage of another government entity in Foster County. Commissioner Utke motioned to decline the proposal that was sent to Garrison Diversion from Carstensen Contracting and forwarded to Foster County, seconded by Commissioner Scanson. All voted aye and the motion passed.

Discussion on SealTech was had on the work to be performed on County Highway 1621 from State Road 22 going north the first three miles. The work would remove debris, apply mastic material, smooth surface and edges and spray a detach material to help eliminate tracking. If the BOCC had the road covered by SealTech, there would be no need to crack seal. Commissioner Scanson motioned to approve moving forward with the work from SealTech for \$115,975, seconded by Commissioner Utke. Roll call vote included:

- Commissioner Utke – aye
- Commissioner Copenhaver – aye
- Commissioner Scanson – aye, motion passed.

Kyle Schroeder with the Foster County Fair Board joined the BOCC meeting. Commissioner Utke had received an estimate from EAPC to complete the architecture work with specifications for bidding for a cost of \$16,325. Discussion included if the project would exceed the \$250,000 threshold to require a firm to put bid specs together and oversee the project. Commissioner Utke motioned to reject the estimate to have EAPC put specs together and have the Foster County Fair Board put the roof specs together,

seconded by Commissioner Scanson. All voted aye and the motion passed. Monson stated that there is a culvert at the north end of the tracks that should be replaced. The cost is estimated to be between \$2,400 and \$2,800. Commissioner Scanson motioned to approve the purchase and installation of the culvert, seconded by Commissioner Utke. Roll call vote included:

- Commissioner Utke – aye
- Commissioner Copenhaver – aye
- Commissioner Scanson – aye, motion passed.

With no further business, Chairman Copenhaver adjourned the meeting at 8:48 am.

REGULAR MEETING AUGUST 18, 2026

At 8:00 am, Chairman Copenhaver called the Foster County Commission meeting to order. Roll call included Commissioner Paul Roller, Commissioner David Utke, Commissioner Pat Copenhaver, Commissioner Alan Scanson and Commissioner Becky Hagel. Also present was Foster County State's Attorney Kara Brinster, Auditor/Treasurer Ellen Roundy, Road Superintendent Nate Monson, Foster County Fair Board member Joel Lemer and Foster County Independent Reporter Taylor Rau.

The meeting began with approval of the minutes for the August 4th Commission Meeting and August 6th Special Commission meeting. Commissioner Hagel made a motion 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 Utke. All voted aye and the motion passed.

Bills: AmericInn by Windham Fargo Medical Center, \$99.00; Arrowwood Prairie Co-op, 1,234.44; Avid Hawk, LLC, 35.00; Balco Uniform Co., Inc., 110.17; Barnes

County Corrections, 100.00; Besette Motors, Inc., 90.16; Briss Oil Company, 495.00; Butler Machinery Company, 55.04.

C&J Oil Company, 15,967.91; Central City H2O+, 13.50; Corean Swart, 60.00; Dacotah Paper Company, 103.28; Heartland Heating & Cooling, 354.76; Information Technology Dept., 1,417.65; Midstates Equipment & Supply, 63.00; NAPA Auto Parts, 42.07; ND Association of County and Tribal VSO, 120.00; OK Tire Store, 994.08; Software Innovations, 5,800.00; Stutsman Co. Correction Center, 500.00.

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

Old Business

No discussion had with old business.

New Business

Nate Monson, Road Superintendent, provided an update to the BOCC. Monson contacted four dealerships for a disc mower. Butler Machinery was the only dealership with access to a twelve-foot disc mower and carried applicable parts. Commissioner Utke motioned to approve the purchase for \$23,500 seconded by Commissioner Roller. Roll call vote included:

- Commissioner Roller – aye
- Commissioner Utke – aye
- Commissioner Copenhaver – aye
- Commissioner Scanson – aye
- Commissioner Hagel – aye, motion passed.

There were two utility permits submitted for approval. One from North Dakota Telephone Company to bury a fiber optic cable and the second from Greater Ramsey to install a two-inch pipe. Commissioner Hagel motioned to approve both utility permits seconded by Commissioner Utke. All voted aye

and the motion passed. Wold Engineering provided an easement overlap document for approval with applicable signatures. Commissioner Scanson motioned to approve the agreement seconded by Commissioner Roller. All voted aye and the motion passed.

Jeff Gale and Carrie Nichols presented results from the NDSF. Twenty Foster County 4-H'ers exhibited projects at the NDSF. In livestock competitions, participants exhibited seven beef, four dairy, one goat, nine sheep and fifteen swine with several earning class, breed and overall champion honors. Foster County also had strong results in showmanship, including grand champion in the round-robin contest. The 4-H'ers also exhibited fifty-two static projects, earning numerous grand champions, reserve champion and Awards of Excellence honors in areas such as agriculture, science, technology, arts, food and civic engagement. Two 4-H'ers also received an Award of Excellence in the State 4-H Communication Arts Contest.

Auditor/Treasurer Ellen Roundy requested approval for supplies from NAPA for the generator. Commissioner Hagel motioned to approve the purchases, seconded by Commissioner Scanson. All voted aye and the motion passed. The Auditor/Treasurer office is working on record retention and would like a roll-off dumpster to dispose of items. One estimate was received from Bryce Carr. Commissioner Hagel motioned to approve Carr's estimate seconded by Commissioner Roller. All voted aye and the motion passed. Roundy has reached out to other auditing firms to complete 2023-2024 audits. The office has worked with the State Auditors office but has noticed delays due to other projects being placed in front of the counties. Roundy requested to move forward with Widmer & Roel once the 2021-2022 Audits are completed. Com-

missioner Utke commended the Auditor/Treasurer's office in getting the county caught up from delinquent audits dating back to 2013 and motioned to provide notice to Widmer & Roel to accept the proposal for the 2023-2024-year audits as soon as the state completes the 2021 - 2022 audits seconded by Commissioner Hagel. All voted aye and the motion passed.

Karen Evans, Tax Director, presented one abatement for the 2025 tax year for Tara Jones in the amount of \$640.40 for Homestead Credit. Commissioner Roller motioned to approve the abatement seconded by Commissioner Hagel. All voted aye and the motion passed.

Commissioner discussion included placing a question on the

ballot to increase County Agent mills. Commissioner Scanson motioned to approve the resolution to increase mills for the County Agent from two up to four, seconded by Commissioner Hagel. Resolution 2026-03 was read:

WHEREAS, Section 57-15-06.7 of the North Dakota Century Code allows the Board of County Commissioners to assess up to four mills for county agent extension services, and

WHEREAS, the County Agent's office is involved in agricultural programs, 4-H and youth activities and in providing information to the communities in Foster County, and

WHEREAS, the Board of County Commissioners has been advised that an additional two mills would aid in the operation of the County Agents work, and

WHEREAS, the Board has, through its own investigation and observation, confirmed that the current mill levy of 2.00 mills is not sufficient for the Office's operation and the County has been obli-

gated to help the County Agent's office by subsidizing the funding from the County General Fund;

WHEREAS, appropriate funding is desirable for continuation of these services and the question must be submitted to the electors of Foster County for approval or disapproval,

THEREFORE, BE IT RESOLVED THAT the Foster County Board of Commissioners propose an increase of 2 mills for the maximum of 4 mills levied to the county agent extension services for a time period of ten years pursuant to Section 11-38-01 of the North Dakota Century Code and

BE IT FURTHER RESOLVED THAT approval of this question be submitted to the electors of Foster County at the General Election to be held on November 3rd, 2026, in which the ballot should read as follows:

COUNTY MEASURE NO. 1

Authorized Mill Levy for Extension Services

Shall the Board of County Commissioners of Foster County be authorized to assess up to four (4) mills for county agent extension services for a period not to exceed ten (10) years in accordance with Sections 57-15-06.7(2) and 11-38-01 of the North Dakota Century Code?

A "YES" vote means you approve the measure as summarized above

A "NO" vote means you do not approve the measure as summarized above

Roll call vote included:

- Commissioner Roller – aye
- Commissioner Utke – aye
- Commissioner Copenhaver – aye
- Commissioner Scanson – aye
- Commissioner Hagel – aye, motion passed.

Additional discussion included easement with the Murphy Road and how to proceed with landowners. Commissioner Utke motioned

to contact Wold Engineering that Foster County will remove the pavement within the easement for the grinding project and ask Wold Engineering to notify the landowners regarding the excess pavement via certified mail, seconded by Commissioner Hagel. All voted aye and the motion passed. Commissioner Utke provided an update on the SIRN project. There is a tree located on the west side of the playground by the courthouse that needs to be removed. Commissioner Hagel motioned to approve Jesse Schroeder's quote

of \$1,100 to remove the tree and grind the stump down seconded by Commissioner Scanson. Roll call vote included:

- Commissioner Roller- aye
 - Commissioner Utke – aye
 - Commissioner Copenhaver – aye
 - Commissioner Scanson – aye
 - Commissioner Hagel – aye,
- motion passed. The next six-county meeting will be held in McIntosh County on Thursday, September 10th, 2026, at 10:00 AM. The 2026 preliminary budget

hearing is scheduled for Tuesday, September 15th, 2026, at 9:00 AM at the Foster County Courthouse.

With no further business, Chairman Copenhaver adjourned the meeting at 9:20 am.

Ellen Roundy,
Auditor/Treasurer
Pat Copenhaver,
Chairman, Foster County
Board of Commissioners
(Publish September 21, 2026)