

Public Notices

PROCEEDINGS OF THE FOSTER COUNTY BOARD OF COMMISSIONERS REGULAR MEETING JULY 2, 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 Alan Scanson, and Commissioner Pat Copenhaver. Also present was Luke Weisz with Border States Paving, Craig and Bonnie Hoggarth, Auditor/Treasurer Ellen Roundy and Foster County Independent reporter Amy Wobbema.

The meeting began with approval of the minutes for the June 18th, 2024, regular meeting. Commissioner Beumer motioned to approve all minutes, seconded by Commissioner Scanson. All voted aye and the motion passed.

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

Bills: Amazon Capital Services, Inc., \$36.18; Andrew Kirking, 241.20; Arrowwood Prairie Co-op, 270.00; C&J Oil Company, 5,696.47; Central Business Systems, 294.58; Central City H2O+, 13.50; Craig Weisz, 81.07; Farmers Union Insurance, 5,250.00; Foster County Independent, 2,291.64; Foster County Weed Board, 1,392.50; Gilbertson's, 757.50; HHO of North Dakota, 1,566.19; NDAAO, 225.00; Normont Equipment Co., 2,144.13; Office of Attorney General - 1250, 150.00; Swanston Equipment Corporation, 1,400.00; William J. Gale, 187.60.

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

Old Business
Commissioner Utke and Commissioner Scanson went to Juanita Lake to view lots that Foster County owns. The consensus was that it would make the most sense for the county to continue to maintain the road and put half the lot to bid. Commissioner Scanson noted that the land would have to be surveyed to plot it out and that cost could be included with the bid. The BOCC will review with Foster County State's Attorney, Kara Brinster. Commissioner Utke also had spoken with Kip Kovar, Garrison Diversion. Vogel Law is working on a draft agreement and will present that to the BOCC when completed.

New Business
The BOCC had received calls regarding residents affected by the grinding of the Club Hall Road. The terms allow the BOCC to decide on whether to award a bid within thirty days, so they have time to discuss and answer questions. Commissioner Scanson motioned to delay deciding until a special meeting could be held to discuss the future of the road, seconded by Commissioner Copenhaver. All voted aye and the motion passed. Auditor/Treasurer Roundy will mail a letter to the townships in the area affected.

Andrew Kirking, Stutsman/Foster EM, spoke with the board on the increase in 9-1-1 fees for the 2025 Biennium. Commissioner Copenhaver motioned to approve the 2025 Biennium contract and have Chairman Utke sign, seconded by Commissioner Hagel. All voted aye and the motion passed.

Tyler Doeling, Foster County Resident, approached the BOCC regarding the transportation of clay from Gene Doelings to his place. It would be around 0.75 mile and there is no other manageable route besides hauling on the Bordulac Highway. Commissioner Beumer requested the trucks follow the speed limits and the legal weight when hauling. Commissioner Copenhaver motioned to allow no more than thirty loads if they follow weight and legal speed limits, seconded by Commissioner Beumer. All voted aye and the motion passed.

Ellen Roundy, Auditor/Treasurer, provided an update for the Road Department. There has been 6.98" of rain for the month of June. The Department is working through blading with the wet conditions, some roads are not drying out as fast as they'd like to with the rain. They will get all ditches mowed by July 12th. The chipping project on the McHenry Road has started and should be completed before the Fourth.

Roundy also forwarded an email from Pual Murphy inquiring about the removal of horse camping sites at Juanita Lake. Commissioner Scanson motioned to remove the horse camping sites at Juanita Lake seconded by Commissioner Hagel. All voted aye and the motion passed.

Commissioner Utke provided an update on the basement renovation project. Temporary electrical work was installed to get Social Services moved back to their offices. HVAC work is completed for phase one but will not be operational until the completion of phase two. Progress has started on phase two of the project. Commissioner Utke noted that VSO, Corean Swart, had requested to

place an ad in the paper for temporary change in office space, the BOCC has no issue with that. Commissioner Utke also noted that a few keys had to be made to allow employees access to the building with the basement being blocked off. Employees will sign out the keys and return once the basement is accessible.

Commissioner Scanson provided an update on the NDSU Extension Agent position. They have interviewed and offered the position to an individual but have not heard back. Commissioner Hagel attended the Central Prairie Human Service Zone meeting, and the board is working on logistics of hiring Madison Crisman, Interim Director, as full-time Director. She currently oversees Nelson/Griggs and would pick up Wells, Foster and Eddy. Commissioner Beumer noted that Public Health has interviewed an individual for the Medical Director for the district.

With no further business, Chairman Utke adjourned the meeting at 4:24 pm.

SPECIAL MEETING JULY 10, 2024

At 8:00 am, Chairman Utke 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 Chief Deputy Auditor/Treasurer Hailey Bachmeier, Foster County Emergency Manager Andrew Kirking and Foster County Independent Reporter Amy Wobbema. Commissioner Becky Hagel joined the meeting at 8:05 am.

Emergency Manager Andrew Kirking presented the BOCC with a Emergency Declaration for the Train Derailment that occurred on July 5th, 2024 near Bordulac, North Dakota. The incident contained 29 train cars transporting hazardous material. Kirking stated the Emergency Declaration would allow Foster County to use Emergency Funds for costs pertaining to the Train Derailment. Commissioner Scanson made a motion to sign the Emergency Declaration, seconded by Commissioner Copenhaver. All voted aye and the motion passed.

Emergency Manager Andrew Kirking also presented the BOCC with a presentation showing a compilation of pictures and videos of the Train Derailment that the Stutsman County Drone Team put together. Kirking also informed the BOCC of the incident action plan that was for July 9th, 2024, stating workers on scene were planning on using a 1.6-million-gallon storage tank to dewater the crash site. Kirking mentioned that the county was very lucky that none of the products left the crash site. Chairman Utke commended Kirking for all his work. Kirking stated he appreciated all the support and commended the first responders and neighboring towns that have helped. Kirking said the next step is getting in contact with CP Railroad with fixing the roads that were damaged.

With no further business, Chairman Utke adjourned the meeting at 8:24 am.

SPECIAL MEETING JULY 10, 2024

At 10:01 am, Chairman Utke called the Foster County Commission Special Meeting to order. Roll call included Commissioner Becky Hagel, Commissioner David Utke, Commissioner Alan Scanson, and Commissioner Pat Copenhaver. Also present was Chief Deputy Auditor/Treasurer Hailey Bachmeier, Foster County Independent Reporter Nathan Price, Elliot Paczkowski, Michael Lipetzky, Lucas Spitzer, Clete Lipetzky, Craig Hoggarth, Bonnie Hoggarth, Kent Ableidina, Jordan Kramer, David Kramer, and Bill Lipetzky.

Commissioner Utke stated the first point of the discussion on the Club Hall Road will be that the BOCC will explain why the BOCC is at this stage with the Club Hall Road and the second point would be to hear from individuals who have questions or concerns, and the third point would be up to the BOCC if they want to proceed with voting or tabling the vote for the next Commission meeting on July 16th, 2024, on the reclamation of the Club Hall Road. Utke presented the BOCC and residents of Foster County with a 5-year road plan from Wold Engineering that was updated in April of 2024. Utke stated that Wold Engineering said overlay is not possible to do on the Club Hall Road. Utke stated a major concern for the BOCC is 91 miles of paved highway is more than the tax base that Foster County can handle. Commissioner Copenhaver stated if we decide to grind up the Club Hall Road it would save money to keep the other paved roads maintained that we have instead of stretching the County out so thin. Commissioner Utke stated the money raised through the road department mill levy will be needed for normal maintenance and operation of the road department. These revenues are not sufficient for major projects like reconstruction, overlays, & chip sealing. State and Federal funding & grants will be needed for those major projects. Many individuals present at the BOCC special meeting expressed they would like the BOCC to table the project for another year. Commissioner Utke stated the BOCC will have to decide to either accept or

deny the bid for grinding within the timeline specified.

Commissioner Hagel made a motion to table the Club Hall Road reclamation until the July 16th Commission Meeting, seconded by Commissioner Scanson. All voted aye and the motion passed.

Commissioner Utke stated Juanita Lake Maintenance, Jeff Golz, will be gone for a couple of months. Utke suggested hiring someone temporary for the rest of the year to do mowing and maintenance. Two individuals were interested in the interim position. Commissioner Scanson suggested reaching out to the two individuals and asking what they were planning on charging for mowing and maintenance. The BOCC decided to table the Juanita Lake Maintenance until the next Commission meeting held on July 16th, 2024.

With no further business, Chairman Utke adjourned the meeting at 11:16 am.

JULY 16, 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 Alan Scanson, and Commissioner Pat Copenhaver. 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 July 2nd, 2024, regular meeting and the two special meeting minutes from July 10th, 2024. Commissioner Beumer motioned to approve all three sets of 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.

Bills: ACCO Brands Direct, \$92.00; Andrew Kirking, 473.69; Arrowwood Prairie Co-op, 560.29; Avid Hawk, LLC, 35.00; Balco Uniform Co., Inc., 181.00; Barnes County Corrections, 3,051.95; Bessette Motors, Inc., 135.96; Boote Septic Solutions, 125.00; Brager Disposal Service, 349.00; Brinster Law, P.C., 257.10; Briss Oil Company, 48.90.

Butler Machinery Company, 103.30; Carrol-Top Industries, 252.95; City of Valley City, 214.40; CMF, 912.61; Computer Express, 1,000.00; Dacotah Paper Company, 168.82; Ellen Roundy, 212.28; Foster County Independent, 189.00; Information Technology Dept., 955.55.

Office of the Adjutant General, 16,887.57; Pat Biel Trucking, Inc., 5,769.92; RDO Equipment Co., 1,846.00; RDO Truck Centers, 159.31; Running's Supply, Inc., 938.90; Schulz PLBG., HTG. A/C, Inc., 941.60; Sidwell Company, 1,200.00; Stutsman Co. Correction Center, 100.00; Stutsman County Auditor, 2,000.00; US Records Midwest LLC, 2,279.23; Vanguard Appraisals, Inc., 2,650.00; Walker Carr, 66.44; William J. Gale, 11.25.

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

Old Business
Commissioner Utke had provided the update on the lots by Juanita Lake to Foster County State's Attorney Kara Brinster. Discussion included the intent to sell half the lot and getting a quote for surveying. Brinster stated that she will call Tamarac to get a quote. Commissioner Utke discussed a letter received from resident Kent Albeidinger regarding the Club Hall Road. He had also been contacted by another resident that lives out of state. Both individuals were requesting to delay any work done on the Club Hall Road. Discussion included the work that the Road Department has done in the last two years to maintain the current condition of the road with no improvements. Commissioner Utke had reached out to Stutsman and surrounding counties to compare paved vs. gravel roads. He stated that you cannot compare our ability to maintain our roads to roads in other counties. Last year, one mill in Stutsman County generated \$144,007 which is almost five times the amount that one mill generates in Foster County. Stutsman County has roughly 155.5 miles of county gravel and two classes of paved roads totaling 218 miles. They have approximately twice the number of paved highways that Foster County does, but four and half times the revenue per mill. In Stutsman County roughly 58% county roads are paved and in Foster County 81% county roads are paved. In the last year and a half an estimated one hundred twenty-three thousand has been spent on the Club Hall Road just in materials. Commissioner Beumer noted that the costs of maintaining or fixing the road will continue to increase. Discussion included the amount of time Road Superintendent Nate Monson has had to spend on the road and if continuing to maintain the road as is, would potentially need to look at hiring another individual. Commissioner Copenhaver noted that the traffic count on the Club Hall Road is one of the lowest in the county. Commissioner Copenhaver motioned to

approve project CP-1602(024), Full Depth Reclamation in Foster County, to the low bid of Border States Paving for Option 1 for \$460,291.71 and authorize the appropriate County Officials to sign the construction contract, seconded by Commissioner Beumer. Roll call vote included:

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

Commissioner Scanson – aye motion passed.

Commissioner Hagel motioned to split the funding with \$260,291.71 to be paid out of the Road fund and \$200,000 to be paid out of the general fund and for the general fund to be reimbursed by the Road fund in the next few years, seconded by Commissioner Scanson. Roll call vote included:

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

Commissioner Scanson – aye motion passed.

Commissioner Utke had met with Kip Kovar, Garrison Diversion, regarding the pipeline. They are still working on a draft agreement and organizing the legal documents necessary.

New Business
Chris Thomas, EAPC, joined the meeting via telephone. The second phase of the basement renovation is going well and on track. The last few weeks they have been replacing sewer lines and demolishing the existing concrete floor. The drilling has started for HVAC on phase two and the heat units have been removed. Thomas noted that phase two is expected to go faster than phase one.

Commissioner Scanson and Commissioner Utke noted that they have reached out to Commissioners in Stutsman County providing positive feedback on the work that Stutsman/Foster EM, Andrew Kirking, has done regarding the train derailment. Auditor/Treasurer Roundy provided an update from Kirking and Fire Chief Ken Wangen on the current progress. Roundy provided an update for the Road Department. As of last week, there has been just over two inches of rain, with another inch or so coming in over the weekend. The ditches are being mowed and Monson has been in contact with individuals who are haying ditches. The department has started their eighteenth tote for durapatching. Monson had informed the BOCC that Jeff Bata will be moving out of Foster County, and they will need a replacement for the Weed Board. Elliot Paczkowski has indicated interest in the position and will attend the August 6th meeting. Commissioner Hagel noted that Bata is also on the Foster County Water Board.

Auditor/Treasurer Roundy had attended the last Central Prairie Human Service Zone meeting along with Foster County State's Attorney Kara Brinster. Discussion included indirect costs for hosting the human service zone within the county. The agreement with the board states, "The board of county commissioners acknowledge that the Department of Human Services will pay, pursuant to NDCC 50-35-04, for indirect costs according to a formula established by the Department, which will be paid to the host county across the two formula payments and the host county will then distribute the payment to each county within the Human Service Zone according to the amounts established by the counties participating within the Human Service Zone." Foster County has not received indirect payments over the course of the last four years totaling \$92,757.88. Indirect Costs incurred include heating, water, electrical, and square footage maintained by the zone employees within the courthouse. Commissioner Hagel sits on the board and has stated she has requested that money multiple times and it has always been pushed aside. Commissioner Scanson had previously sat on the board and can attest to that. Commissioner Hagel would like Brinster to draft a letter requesting the funds from Wells County. Brinster noted that Wells County is the trustee of that money, it was not theirs to keep. Commissioner Scanson motioned to allow Brinster to draft a letter to Wells County BOCC requesting the indirect costs, seconded by Commissioner Hagel, all voted aye, and the motion passed.

Commissioner Utke had received notice that the current individual is unable to do the ground maintenance Juanita Lake Park. At the last special meeting, discussion included reaching out to those that had inquired about maintaining the grounds for the remainder of the year. Beve Johnson had indicated willingness to finish out the year for the county at the same rate of pay. Commissioner Scanson motioned to approve Beve Johnson to complete necessary work at Juanita Lake for the remainder of the year and pay the same as the previous employee, seconded by Commissioner Copenhaver. All voted aye and the motion passed. Commissioner Scanson noted that NDSU had offered the extension position to an individual and they declined, the committee is back to searching to fill the position. Commis-

sioner Scanson, Commissioner Hagel and Chief Deputy Bachmeier had attended a meeting via zoom with AE2 regarding grant opportunities within the county. Topics included recreation grants, windows and lighting in the courthouse. They will provide a list of grant options and the County could hire them to complete the applications at that point, or the county could complete them on their own. Commissioner Copenhaver attended a council on aging

meeting, many rides are provided by the transit service. Auditor/Treasurer Roundy requested to move the next regular BOCC meeting on August 6th, 2024, up to 1:30 PM, the BOCC agreed.

With no further business, Chairman Utke adjourned the meeting at 4:49 pm.

Ellen Roundy, Auditor/Treasurer
David Utke, Chairman,
Foster County
Board of Commissioners
(Publish August 19, 2024)

North Dakota.
A complete 2024-25 chronic wasting disease proclamation is available from the NDGF Department, 100 North Bismarck Expressway Bismarck, ND 58501-5095, Ph: (701) 328-6300, or online at www.gf.nd.gov.
(Publish August 19, 2024)

PUBLIC NOTICE

The North Dakota Game and Fish Department announces the following summary of regulations and changes for the 2024-25 chronic wasting disease proclamation.

It's illegal to hunt big game over bait or place bait to attract big game for the purpose of hunting in deer hunting units 1, 3A1, 3A2, 3A3, 3A4, 3B1, 3C, 3D1, 3D2, 3E1, 3E2, 3F1, 3F2, 4A, 4B, 4C, 4D, 4E and 4F.

Whole carcasses of animals harvested in North Dakota can remain in the deer unit or may now be transported anywhere in the state. However, carcass waste must be disposed of via landfill or waste management provider. This does not apply to heads dropped at CWD collection sites or lymph nodes submitted for CWD surveillance. Taxidermists and game processors can also accept intact carcasses of animals harvested within North Dakota but assume responsibility for disposal.

Hunters are prohibited from transporting into North Dakota the whole carcass or parts, except the lower-risk portions, of deer, elk, moose or other members of the cervid family harvested outside of

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24 HOUR EMERGENCY SERVICE

The North Dakota Game and Fish Department announces the following summary of regulations and changes for the 2024-2025 Small Game, Furbearer and Waterfowl Seasons.

Species	Opens	Closes	Daily Limit	Poss. Limit
Crows (Fall)	Aug. 17	Nov. 04	There is no limit on crows	
Crows (Spring)	Mar. 08	Apr. 20		
Early Canada Geese (Missouri River Zone)	Aug. 15	Sept. 07	15	45
Early Canada Geese (Western Zone)	Aug. 15	Sept. 15		
Early Canada Geese (Eastern Zone)	Aug. 15	Sept. 20		
Doves	Sept. 01	Nov. 29	15	45
Hungarian Partridge	Sept. 14	Jan. 05	3	12
Sharp-tailed Grouse	Sept. 14	Jan. 05	3	12
Ruffed Grouse	Sept. 14	Jan. 05	3	12
Tree Squirrels	Sept. 14	Feb. 28	4	12
Season closed				
Sage Grouse	Sept. 14	Dec. 01	8	24
Woodcock	Sept. 21	Nov. 04	3	9
Sandhill Cranes (Unit 1)	Sept. 14	Nov. 10	3	9
Sandhill Cranes (Unit 2)	Sept. 14	Nov. 10	2	6
Tundra Swan	Sept. 28	Dec. 27	Season limit one swan - must be tagged	
2,200 licenses issued by lottery (deadline - Aug. 21)				
Season closed				
Pinnated Grouse (prairie chicken)	Oct. 05	Oct. 06	3	12
Male Pheasant (youth season)	Oct. 12	Jan. 05		
Male Pheasant (regular season)	Oct. 12	Jan. 05		
Mountain Lion (Zone 1 Early) (hunting)	Aug. 30	Nov. 24	One per season - restricted	
Mountain Lion (Zone 1 Late) (hunting)	Nov. 25	Mar. 31		
Mountain Lion (Zone 2) (hunting)	Aug. 30	Mar. 31	One per season - restricted	
Fisher (trapping or cable devices)	Nov. 25	Dec. 01	One per season - restricted	
River Otter (trapping or cable devices)	Nov. 25	Mar. 15	One per season - restricted	
Beaver and Raccoon (hunting, trapping or underwater cable devices)	Year-round			
Beaver and Raccoon (cable devices on land) (type and placement restricted from Mar. 16 - May 10)	Nov. 25	May 10		
Weasel (trapping)	Oct. 26	Mar. 15		
Muskrat and Mink (trapping)	Oct. 26	May 10		
Weasel (cable devices)	Nov. 25	Mar. 15		
Muskrat and Mink (cable devices)	Nov. 25	May 10		
Weasel (hunting)	Nov. 25	Mar. 15		
Muskrat and Mink (hunting)	Nov. 25	May 10		
Muskrat and Mink (restricted trapping and cable devices season)	Mar. 16	May 10		
Muskrat and Mink (protective covering over float sets)	May 01	May 10		
Red Fox, Gray Fox, Coyote, and Badger (day hunting or trapping)	Year-round			
Red Fox, Gray Fox, Coyote, and Badger (cable devices)	Nov. 25	Mar. 15		
Red Fox, Gray Fox, and Coyote (night hunting)	Nov. 25	Mar. 15		
Bobcat (Zone 1) (hunting or trapping)	Nov. 09	Mar. 15		
Bobcat (Zone 1) (cable devices and dogs)	Nov. 25	Mar. 15		
Bobcat (Zone 2) (hunting, trapping, cable devices, dogs)	Nov. 25	Mar. 15	One per season - restricted	
Special Veteran and Active Military Personnel Waterfowl Season	Sept. 14	Sept. 15	* Limits same except no bonus BWT may be taken	
Special Youth Waterfowl Season	Sept. 14	Sept. 15	* Limits same except no bonus BWT may be taken	
Ducks including Mergansers	Low Plains Unit - Sept. 21 thru Dec. 01		6 (see restrictions below)	18
Coots	High Plains Unit - Sept. 21 thru Dec. 01 & Dec. 07 thru Dec. 29		15	45
White-Fronted Geese	Sept. 21	Dec. 01	3	9
Canada Geese (Missouri River Zone)	Sept. 21	Dec. 27	5	15
Canada Geese (Western Zone)	Sept. 21	Dec. 21	8	24
Canada Geese (Eastern Zone)	Sept. 21	Dec. 16	8	24
Light Geese	Sept. 21	Dec. 27	50	No Limit

DUCKS AND MERGANSERS: SPECIES/SEX RESTRICTIONS

The daily bag limit of 6 ducks including mergansers may include no more than 5 mallards of which only 2 may be female mallards, 1 scaup, 3 wood ducks, 1 pintail, 2 redheads, 2 canvasbacks. *In addition to the daily bag limit of ducks listed above, an additional 2 blue-winged teal may be taken from Sept. 21 - Oct. 06. The possession limit for duck including mergansers shall be three times the daily bag limit.

SUMMARY OF CHANGES FROM LAST YEAR

- Beginning Sept. 1 a federal duck stamp for hunters 16 and older is needed. The federal e-stamp is valid through the entire waterfowl hunting season.
- Non-residents are not allowed to hunt on Department wildlife management areas or on PLOTS areas from Oct. 12-18. Exception: non-residents hunting on PLOTS land that

A complete 2024-2025 Small Game, Furbearer and Waterfowl proclamation is available from the North Dakota Game and Fish Department, 100 North Bismarck Expressway, Bismarck, North Dakota 58501-5095 (701) 328-6300.

CLIP AND SAVE

