

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS OF FOSTER COUNTY MAY 2, 2023

At 3:30pm, Chairman Scanson called the Foster County Commission meeting to order. Roll call included Commissioner Scott Beumer, Commissioner Becky Hagel, Commissioner Alan Scanson, Commissioner Pat Copenhagen, and Commissioner David Utke. Also, present were Road Superintendent Nate Monson, Deputy Auditor Hailey Bachmeier, and Foster County Independent Reporter Amy Wobbema.

The meeting began with approval of the minutes for the April 18th, 2023, regular meeting, April 20th, 2023, special meeting and April 25th, 2023, special meeting. Commissioner Hagel had three changes to the April 18th, 2023, minutes and made a motion to approve the minutes with the changes, seconded by Commissioner Beumer. All voted aye and the motion passed.

Commissioner Beumer made a motion to approve the bills, seconded by Commissioner Copenhagen. All voted aye and the motion passed.

Bills: 35415 Amazon Capital Services, Inc., \$144.80; 35416, Andrew S. Marquart, 198.00; 35417, Auto Value Parts Store, 259.97; 35418, Balco Uniform Co., Inc., 382.00; 35419, Becky Hagel, 45.00.

35420, Bessette Motors, Inc., 82.06; 35421, Bessette Motors, Inc., 19,487.50; 35422, Brinster Law, P.C., 580.88; 35423, Carrington Motors, Inc., 18,780.52; 35424, Carrington Motors, Inc., 409.90; 35425, Central City H2O+, 40.50; 35426, Central City Lumber, Inc., 75.00; 35427, Cobblestone Hotel & Suites - Devils Lake (1356), 176.40; 35428, Corean Swart, 257.78; 35429, Craig Wisesz, 7.86.

35430, Custer Health, 380.00; 35431, Dakota Dust-Tex, Inc., 104.20; 35432, Dr. Jay Bauer, 112.50; 35433, Dr. Jay Bauer, 45.00; 35434, Emblem Enterprises, Inc., 528.00; 35435, Farmers Union Insurance, 21,120.00; 35436, Foster County Independent, 648.44; 35437, Holly N. Ziemann, 45.00; 35438, Jeremiah Blahna, 16,781.25; 35439, Justin Johnson, 471.77.

35440, Kara Brinster, 172.92; 35441, LEAF, 155.00; 35442, Lloyds Motors, 553.98; 35443, M&C Plumbing and Heating, 629.00; 35444, Melanie G. Hesch, 52.40; 35445, Nathan Kruse, 56.00; 35446, ND Association of Counties, 84.81; 35447, ND State Radio Communication, 16,750.28; 35448, NDACO Resources Group, 70.00; 35449, NDACO Resources Group, 1,212.60.

35450, NDSU Extension Service, 10,869.44; 35451, Normont Equipment Co., 3,160.00; 35452, Office of the State Auditor, 4,700.00; 35453, OK Tire Store, 188.67; 35454, OK Tire Store, 58.40; 35455, RDO Equipment Co., 4,980.00; 35456, Team Laboratory Chemical Corp., 884.00; 35457, Village Family Service Center, 1,500.00.

Commissioner Utke asked to add NDACO Legislation to the agenda under commissioner discussion. Commissioner Copenhagen made a motion to approve the agenda with the addition, seconded by Commissioner Utke. All voted aye and the motion passed.

Old Business
No new business reported for the gravel pit.

New Business
Nate Monson, Road Superintendent, provided the BOCC with an update from the Road Department. Monson stated there have been a few minor repairs to equipment. The road department has started blading roads and there are currently a few roads closed due to water over the road. Estabrook township has two miles closed, Rosehill township has roads closed on Carrington and Kelly Creek, and County-Clark/Hart Bridge is closed. Load restrictions are still on. The road department has durapatched four times hitting 61 spots in the county. The road department has currently moved to 4-10-hour days.

Hailey Bachmeier, Deputy Auditor, presented the BOCC with Snow Assistance spreadsheets that were emailed to Justin Messner, Disaster Recovery Chief for state funding snow assistance. Bachmeier stated that Nate Monson, Road Superintendent, Ellen Roundy, Auditor, and herself have been working extra hours to get all the proper documentation to be entered into the spreadsheets. 13 Townships also provided documentation. The next deadline for season wide snow removal that occurred between October 1, 2022, and April 30, 2023, will have to be submitted no later than May 31, 2023.

Commissioner Utke approached the BOCC to recommend the board to sell the mower that was used at Juanita Lake to the Foster County Fair Board for \$1.00. Kyle Schroeder, Fair Board Member, also requested the BOCC sell the fair board the mower for \$1.00, and in the fall the Fair Board and BOCC can meet to discuss if they need to change the agreement. Kara Brinster, Foster County State's Attorney stated the BOCC doesn't need to sell the mower because it is one public entity to another public entity and Foster County can transfer the mower to the Fair Board. Commissioner Beumer made a motion to transfer the mower to the Foster County Fair Board, seconded by Commissioner Copenhagen. All voted aye and the motion passed.

Commissioner Utke provided information to the BOCC on the Multi-hazard mitigation plan. Commissioner Utke stated Darlene Thomas, Foster County Emergency Manager/911 Coordinator had sent an email to Daniel Schwartz, at Nexus Planning and Consulting, LCC about receiving copies of the mitigation plan. Schwartz had stated he would be sending out a printed and digital copy. Commissioner Utke stated Jeff Golz, Juanita Lake ground-keeper was using his own personal weed wacker at Juanita Lake. Commissioner Utke recommended the BOCC to purchase Golz a trimmer for Juanita Lake. Commissioner Utke had two options: one trimmer cost \$220 and the second trimmer cost \$300. Commissioner Beumer made a motion to buy Golz the \$300 trimmer for usage at Juanita Lake, seconded by Commissioner Copenhagen. Roll call vote included:

- Commissioner Beumer – aye
- Commissioner Hagel – aye
- Commissioner Scanson – aye
- Commissioner Copenhagen – aye
- Commissioner Utke – aye, motion passed.

Commissioner Utke provided legislative updates. No update on door security. Commissioner Utke talked to Chris Thomas, EAPC Construction Specialist/Of-

fice Manager and Thomas stated EAPC will no longer need to stop at Public Health for the roof. They have all the information needed to give an analysis by the end of next week. EAPC engineers will be at Foster County Friday, May 5th, 2023, to gather information for the Concrete Masonry Unit, also known as the Old Highway Shop. The next step will be a meeting to discuss the recommendations on repair with a budget and complete scope of work. Commissioner Hagel provided information about the records located in the vaults in the basement of the courthouse. Commissioner Hagel contacted the State Archive, and they emailed Ellen Roundy, Auditor, a list of the records they will take. Commissioner Utke provided information on the ambulance building update. Commissioner Utke stated the ambulance board had finalized the agreement and sent it off to CHI Corporate and they are waiting for a response. Commissioner Copenhagen provided information about the Council of aging meeting. One individual has resigned from the board. The board is currently looking for an individual to fill that position. Commissioner Copenhagen also stated the Council of Aging received a bus from the state. Commissioner Utke stated the next LEPC meeting will be held June 1, 2023, and will be a tabletop exercise that will be conducted by Darlene Thomas and Jason Wolsky. Commissioner Utke read off items for the recurring calendar. The recurring calendar showed in May of 2020, the BOCC approved the use of ND State Radio for 911 Dispatch. Following the calendar, Commissioner Beumer made a motion to use ND State Radio for 911 Dispatch, seconded by Commissioner Hagel. All voted aye and the motion passed.

With no further business, Chairman Scanson adjourned the meeting at 4:23 pm.

SPECIAL MEETING MAY 11, 2023

At 1:30 pm, Chairman Scanson called the Foster County Commission Special meeting to order. Roll call included Commissioner Becky Hagel, Commissioner Alan Scanson, Commissioner David Utke, and Commissioner Pat Copenhagen. Also present was Auditor Ellen Roundy, Deputy Auditor Hailey Bachmeier, Road Superintendent Nate Monson, and Wold Engineering Vice President Michael Rivinius via phone. Commissioner Scott Beumer joined the Special meeting via phone at 2:11 pm.

The Club Hall Road is in need of repairs. Commissioner Scanson asked Michael Rivinius, Wold Engineering Vice President his opinion on the road. Rivinius stated there are two options: try to maintain the pavement with durapatching and asphalt patching or reclaiming it back to gravel. Border States offered a quote of \$43,500 to patch the Club Hall Road. Reclaiming it back to gravel would cost \$90,000-\$100,000 per mile and could not be done until next year. Commissioner Scanson also asked if we will need a seal coat on the McHenry Road after the overlay project and Rivinius said it would be his recommendation to get it seal coated. Discussion was had on the best route to fix the Club Hall Road rather than just durapatching. Commissioner Utke asked Rivinius how long the life expectancies would last for asphalt patching from Border States.

Rivinius stated it would be a better fix rather than durapatching because asphalt patching is adding more structure to the road. Rivinius stated the asphalt patching would last a couple years. Commissioner Utke made a motion to accept the quote for paving for \$43,500 from Border States, seconded by Commissioner Hagel. Roll call vote:

- Commissioner Hagel – aye
- Commissioner Scanson – aye
- Commissioner Copenhagen – aye
- Commissioner Utke – aye, motion passed.

Commissioner Utke provided information to the BOCC that he attended the CRIB meeting May 10th, 2023, for the radio system. Commissioner Utke stated that many counties have a proxy for appointed members. Commissioner Utke made a motion to approve Darlene Thomas, Emergency Manager/911 Coordinator as proxy for the Northeast region CRIB, seconded by Commissioner Copenhagen. All voted aye and the motion passed.

With no further business, Chairman Scanson adjourned the

meeting at 2:17 pm.
Ellen Roundy, Auditor
Hailey Bachmeier, Deputy Auditor
Alan Scanson, Chairman,
Foster County Board
of Commissioners
(Publish May 29, 2023)

ARLEEN TOPP CELEBRATED HER 80th birthday



May 24, 2023

KANDIYOHI Premium Water

at
The Foster County INDEPENDENT

PRINTING - PUBLISHING - OFFICE SUPPLIES
CARRINGTON, ND 58421-0138

We're using the premium water - Why not give it a try, too?

CENTRAL CITY H2O+
More Water, More Happiness
701-652-2141

BUSINESS DIRECTORY

FOR RENT \$50.00 PER MONTH (6-MONTH MINIMUM) CALL 652-3181

The Looks For You HAIR SALON
740 4th Ave. S. - Suite 101
701-652-3952
Hair-care for the whole family! Specializing in hair loss.

GUSSIAAS ELECTRIC
Christopher Gussiaas
Owner/Master Electrician
Master License #3465
gussiaaselectric@gmail.com
701-307-0715 • Carrington, N.D.

NICOLAI CHIROPRACTIC CENTER
Office (701) 947-2121
Toll Free (800) 808-9478
207 First Avenue South :: New Rockford, ND

Carrington House Moving, Inc.
1495 7th Street South
Over 50 years of experience in moving houses, pole barns, buildings and elevators, plus barn lowering and straightening.
Call 652-2378

TROJAN SEAMLESS GUTTERS
Also available:
Roofing • Siding • Soffits
GIVE US A CALL!
1-800-883-7290 or 701-984-2290

ORR Auctioneers
Auctioneers & Clerks • Ph: 701-952-3351
www.BidOrr.com

Roy's Body Shop
• Windshields • Windshield Chip Repair
• Complete Auto Body & Fender Work
Carrington :: 652-2123

SCHULZ PLUMBING, HEATING & AC, INC.
20 11th Ave. N.
FLOYD SCHULZ
Master Lic. No. 9006
Bus. 652-2076 • Cell 652-5906
Serving the area for over 30 years!

DEA DIVIDE ELECTRICAL & AUTOMATION
1326 5th Avenue N
New Rockford, ND 58356

- BESSETTE MOTORS -
Find new roads!
bessettemotors.com
652-2955 or 1-800-777-4546
395 1st St. N Carrington, ND 58421

BRINSTER LAW, P.C.
652-3400
832 Main St.
Carrington, ND 58421
Kara Brinster
Attorney at Law

PAT BIEL TRUCKING, INC.
Gravel - Dirt - Clay - Sand
Oversized Rock - Demolition Work
Farm Site Clean-up
Payloaders, Dozer & Bobcat Work
652-2619 :: 652-5821 :: 652-5148

Your Ad Could Be Here

WESTEEL
Grain Bins
Grain Handling Equipment
652-5133

J&R Dirt Works, LLC
701-653-5838 or 701-652-3311
Carrington
Sewer/H2O installation, excavation, landscaping
Jason Hovdenes

Electric Motor Service
Repair & Rewind Service • Sales
Farm • Industry
New Rockford, ND
Call: 302-0541
Home: 947-2017
JOHN GISI, OWNER

Hefty Seed - Hurdfield
SEED, CHEMICAL AND FERTILIZER.
701-962-3343

Scanson Grinding Service
For all your hay grinding needs
call Larry Scanson at
701-652-5610

SEABURG'S
GUNS - COMPUTERS - GRAPHICS
CARRINGTON, ND 701-650-1233

J&J Striping
Gravel, oversized rock, tree removal, farmstead cleanup
Sewer & Water Installation
Excavation & on the farm
Livestock hydrants
Jim at 652-5809 • Clinton 652-5735 • Josh 307-0097

Annie Mitchell Timm Salon
Located inside
Country Impressions
316 Old Hwy 20 NE
Courtenay, ND 58426
Phone: 701-435-2700
Facebook: Hair on 20
Online booking available!

PRELIMINARY RESOLUTION FOR ISSUANCE OF DRAIN BONDS

BE IT RESOLVED by the Water Resource Board of Foster County Water Resource District, Foster County, North Dakota, that it is necessary and expedient for Foster County Water Resource District (the "District") to issue its special assessment drain bonds as hereafter described:

1. The maximum amount of bonds proposed to be issued is \$600,000.
 2. The maximum interest rate the bonds shall bear is set forth in North Dakota Century Code Section 61-21-53.
 3. The bonds shall mature no later than 16 years after the date of issuance.
 4. The bonds are to be issued for the Foster County Assessment Drain No. 1.
 5. The purpose for which the bonds are proposed to be issued is to provide funds to maintain and improve an existing drain to serve as an outlet for the drainage of agricultural lands and removal of excess water from lands located in the Improvement District.
 6. The Secretary is directed to cause a copy of this Resolution to be published once each week for three successive weeks in the official newspaper of the District. After the expiration of thirty days following the date of the first publication, no action may be commenced or maintained, and no defense or counterclaim may be recognized in the courts of this state to question or impair the drain warrants or bonds or the drain assessments supporting such warrants or bonds. The special assessment list for the Foster County Assessment Drain No. 1 has been filed in the office of the Foster County Auditor.
- Dated: May 11, 2023.
FOSTER COUNTY WATER RESOURCE DISTRICT
BOARD OF MANAGERS
/s/ Brent Bachmeier, Chairman
/s/ Danielle Koepplin, Secretary
(Publish May 22, 29 & June 5, 2023)

DAKOTA DATEBOOK Lady and the Tramp

On May 23, 1975, Peggy Lee of Jamestown, North Dakota was presented with the Theodore Roosevelt Rough Rider Award for her work in the field of motion picture and popular music. Her list of achievements is spectacular; including 12 Grammy nominations as well as an Academy Award nomination for her performance in "Pete Kelly's Blues." But one of her most enduring legacies and a single showcase of her many talents were her contributions to Walt Disney's "Lady and the Tramp."

Working with Sonny Burke, Peggy Lee co-wrote the songs of "Lady and the Tramp," including "The Siamese Cat Song," "He's a Tramp" and the movie's most memorable feature, "Bella Notte," sung at the Italian restaurant where Lady and the Tramp share a plate of spaghetti.

The North Dakota native was also the voice of several of the film's characters such as Darcy, the mother who sings "La La Lu" and Peg, the dog who sings "He's a Tramp." The two devious cats, Si and Am, who sing "The Siamese Cat Song," can also be attributed to the voice of Peggy Lee. She even contributed to the storyline by persuading the writers to let Trusty, the bloodhound, survive.

But Peggy Lee didn't always have a fairytale relationship with the Walt Disney Company. In 1988, she filed suit against Disney, charging breach of contract in the release of a video-cassette version of "Lady and the Tramp." For the original movie, Lee and Sonny Burke had split royalty fees of \$1,000 for the sheet-music and phonograph record rights for the film's musical score. Peggy Lee's 1952 contract also included a clause that denied the company the right to "make phonograph recordings and/or transcriptions for sale to the public." In the 1988 lawsuit, Lee claimed that "transcriptions" should include video-recordings; especially considering the \$35 million the Walt Disney company had made from video sales of the film. It was "shameful," Peggy Lee said of the company's actions, "shameful that artists can't share financially from the success of their work."

That's the only way we can make our living." The jury obviously agreed. In 1991, she was awarded \$2.3 million in damages against the company for selling tapes of the 1955 movie without her permission.

"Dakota Datebook" is a radio series from Prairie Public in partnership with the State Historical Society of North Dakota and with funding from Humanities North Dakota. See all the Dakota Datebooks at prairiepublic.org, subscribe to the "Dakota Datebook" podcast, or buy the Dakota Datebook book at shopprairiepublic.org.