

Mercer County Commission Minutes February 18, 2026

The meeting was called to order at 10:00 a.m. by Chairman Rick Bauman.

Present were Commissioners Jamee Folk, Mark Pierce, Gene Wolf, Casey Voigt, Auditor Carmen Reed, and Dan Arens of the Hazen Star. Others present during the meeting were Sheriff Terry Ternes, States Attorney Todd Schwarz, Deputy Auditor Mark Erhardt, HR/EM Director Alice Grinsteinner, Treasurer Dawn Grannis, Tax Director/Land Use Administrator Jennifer Neumiller, Building Maintenance Supervisor Jim Albers, Assistant Highway Superintendent Dennis Olheiser, Highway Department Administrative Assistant Rachael Grimm, Donovan & Kaffar, PLLP Attorney Jennifer Gooss, Moore Engineer Tom Weigel, Next Era Representatives Heath Benefact, Kristy Smith, and Stephanie Morales, Crowley Fleck Representative Casey Iurey, Travis Jordan, Jason Frank, Jesse Krieger, Mathew Clarys, Chris Renner, and Joe Grannis.

Pledge of allegiance was said.

Folk moved to approve the amended agenda. Voigt seconded. All voted aye. Motion carried.

Voigt moved to approve the February 4, 2026 regular meeting minutes as presented. Wolf seconded. All voted aye. Motion carried.

Wolf moved to close the regular meeting and open the Cabin Site #2 Special Assessment District Public Hearing. Voigt seconded. All vote aye. Motion carried.

No Comments were heard. Pierce moved to close the Cabin Site #2 Special Assessment District Public Hearing and open the regular meeting. Folk seconded. All vote aye. Motion carried.

HR/EM Director Alice Grinsteinner will be on vacation for one week and requested Sheriff to cover the EM and States Attorney to cover HR. Voigt moved to approve the Emergency Management coverage be handled by the Sheriff as requested. Pierce seconded. All voted aye. Motion carried. Pierce moved to approve the Human Resources coverage be handled by the States Attorney as requested. Voigt seconded. All voted aye. Motion carried. Grinsteinner presented the updated Mercer-Oliver Joint Powers Agreement for HR and EM. Folk moved to approve the updated Joint Powers Agreement for HR and EM as presented. Voigt seconded. All voted aye. Motion carried.

Voigt moved to approve the establishment of the Cabin Site #2 Special Assessment District. Pierce seconded. All voted aye. Motion carried.

Tax Director/Land Use Administrator Jennifer Neumiller presented the following:

- Temporary Use Permit Renewal #670-Arlen Kurtti- Additional Non-Farm used as a rental. Wolf moved to approve Temporary Use Permit Renewal #670 as presented. Folk seconded. All voted aye. Motion carried.
- First Reading to Amend Mercer County Zoning Ordinance: Chapter 1, Section VIII-Definitions: Definitions added for Data Center & Digital Asset Mining. Folk moved to approve Chapter 1, Section VIII-Definitions as presented. Wolf seconded. All voted aye. Motion carried.
- First Reading to Amend Mercer County Zoning Ordinance: Chapter 3, Section IV-Industrial District: Data Center listed as a conditional use. Voigt moved to

approve Chapter 3; Section IV-Industrial District change as presented. Pierce seconded. All voted aye. Motion carried.

- First Reading to Amend Mercer County Zoning Ordinance: Chapter 7, Section 1-Statutory Authorization-Requires NDCC Chapters update. Voigt moved to approve Chapter 7; Section 1-Statutory Authorization update as presented. Folk seconded. All voted aye. Motion carried.
- SRF Consulting Proposals: Folk moved to temporarily table the SRF Consulting Proposals. Pierce seconded. All voted aye. Motion carried.

During the Beulah Building Discussions, Moore Engineer Tom Weigel reported that the Rural Catalyst Grant has not been awarded, so payment approval of the \$499,000 purchase agreement for the Roughrider RV property, now called the "Beulah Building" was put on hold. Folk moved to approve the Beulah Building purchase of two new 1000-gallon propane tanks from Rud Oil & Gas for \$9,295.00. Voigt seconded. All voted aye. Motion passed.

Tax Director/Land Use Administrator Jennifer Neumiller presented the following SRF Consulting Proposals: 1. Proposal to Assist with Updating and Reformatting the Zoning Ordinance and Subdivision Regulations. 2. Proposal to Assist with Data Center Application Review and Processing, and 3. Proposal to Create a MOU between Data Center Applicant and Mercer County, ND. Voigt moved to approve #1 Proposal to Assist with Updating and Reformatting the Zoning Ordinance and Subdivision Regulations as presented. Wolf seconded. All voted aye. Motion carried.

Voigt moved to approve #2 Proposal to Assist with Data Center Application Review and Processing. Wolf seconded. Voigt, Wolf, Pierce, and Bauman voted aye. Folk voted nay. Motion carried. No action was taken on #3 Proposal to Create a MOU between Data Center Applicant and Mercer County, ND.

Assistant Highway Superintendent Dennis Olheiser, Highway Department Administrative Assistant Rachael Grimm presented the Notice to Bidders for the Annual Bid Letting and the Cutback Asphalt Purchase Agreement. Wolf moved to approve the Notice to Bidders for the Annual Bid Letting as presented. Pierce seconded. All voted aye. Motion carried. Folk moved to approve the purchase of road oil for crack sealing. Voigt seconded. All voted aye. Motion carried. Olheiser gave an update on the Golden Valley roof repair/replace project.

Treasurer, Dawn Grannis presented duplicate check request. Folk moved to approve the duplicate check request for check #55194 for \$295.55. Voigt seconded. All voted aye. Motion carried. Grannis requested and explained the need for the Tyler system credit card payment software. Voigt moved to approve the purchase of this credit card payment software as presented. Pierce seconded. All voted aye. Motion carried. Pierce made a motion to move the appointment of the Vacant Commission Seat to the March 3, 2026 regular meeting. Folk seconded. All voted aye. Motion carried.

Wolf moved to approve the Sheriff's January Revenues of \$46,716.09. Voigt seconded. All voted aye. Motion carried.

Voigt moved to approve the Recorder's NDRIN Refund of \$4,570.50 and January Revenues of \$4,612.00. Folk seconded. All voted aye. Motion carried.

Wolf moved to approve the Application for a liquor license for Nana's Kitchen as presented. Pierce seconded. All voted aye. Motion carried.

No Public comments were heard.

Recessed at 10:49 a.m.

Reconvened at 10:55 a.m.

Portfolio Updates were given.

Pierce moved to approve the bills as presented. Folk seconded. All voted aye. Motion carried. The following bills were approved for payment: INTERSTATE ENGINEERING INC \$3,678.92; LINDE GAS & EQUIPMENT, INC. \$589.24; ARMOR INTERACTIVE \$6,268.11; ASKIM, CRAIG \$313.20; BAKER, ADAM \$247.97; BERG, MICHAEL \$33.35; BEULAH ND HARDWARE \$46.97; BISMARCK HOTEL & CONFERENCE CENTER \$545.00; BUTLER MACHINERY CO \$11,236.51; C & L BACKHOE SERVICE \$3,500.00; CENTER MACHINE INC \$345.00; CHARM-TEX, INC. \$4.90; CITY AIR MECHANICAL, INC. \$8,495.00; CITY OF GOLDEN VALLEY \$29.75; D & E SUPPLY CO INC \$1,020.43; FARMERS UNION OIL CO \$709.50; FIRESIDE OFFICE SOLUTIONS \$731.64; FLEMMER, RYAN \$111.65; GALLS \$213.43; HAZEN HARDWARE HANK \$35.45; HAZEN HEALTH PHARMACY \$145.87; HAZEN STAR \$201.00; HAZEN WELDING \$55.00; INFORMATION TECHNOLOGY DEPARTMENT \$7,589.32; J2 Studio \$925.00; JOHNSEN TRAILER SALES, INC. \$566.34; LARA, MICHEAL \$90.00; MIDCONTINENT COMMUNICATIONS \$192.80; NAPA \$428.36; ND WEED CONTROL ASSOCIATION \$285.00; NEUBERGER OIL COMPANY \$5,082.62; NORTH DAKOTA ENVELOPE COMPANY \$861.30; NORTHWEST TIRE AUTO SERVICE INC. \$3,552.01; OFFICE OF ATTORNEY GENERAL \$1,385.00; PFLIGER, METTA \$187.78; PHARMCHEM, INC. \$287.55; POSTMASTER \$171.60; QUADIENT FINANCE USA, INC. \$2,000.00; REDWOOD TOXICOLOGY LABORATORY \$51.12; ROUGHRIDER ELECTRIC COOPERATIVE, INC \$1,197.37; RUD PROPANE LLP \$2,014.48; SAILER, SHANNON \$29.00; SAKAKAWEA MEDICAL CENTER \$152.18; SCHEID, RICHARD \$13.05; SCHLENDER, SCOTT \$26.10; SEIFERT, BRADLEY Q \$353.10; SOUTHWEST WATER AUTHORITY \$57.97; STERICYCLE, INC. \$22.90; THE HUB CONVENIENCE STORES, INC. \$10.78; TYLER TECHNOLOGIES \$2,250.00; VANGUARD APPRAISALS INC. \$38,605.90; VERIZON WIRELESS \$492.37; WEST RIVER TELECOMMUNICATIONS \$2,459.89. (TOTAL: \$111,084.02)

There being no further business the meeting was adjourned at 11:21 a.m. The next regular meeting is scheduled for Tuesday, March 3, 2026, at 9:00 a.m. in the boardroom of the Mercer County Government Center in Stanton, North Dakota. Meetings can be viewed live at <https://www.youtube.com/@MercerCo>

Approved: _____
Rick Bauman, Chairman

Attest: _____
Carmen Reed, Auditor