Mercer County Commission Minutes
July 15, 2026

The meeting was called to order at 9:00 a.m. by Chairman Rick Bauman.
Present were Commissioners Jamee Folk, Gene Wolf, Casey Voigt, Auditor Carmen Reed, and Dan Arens of the Hazen Star. Steve Guenthner was absent. Others present during the meeting were States Attorney Todd Schwarz, Sheriff Terry Ternes, Chief Deputy Mark Schmitt, Tax Director/Land Use Administrator Jennifer Neumiller, Treasurer Dawn Grannis, Deputy Mark Erhardt, Building Maintenance Supervisor Jim Albers, NextEra Energy Representatives Chase Dauenhauer, Ben Sand, Kristy Smith, Mike Knuth, Stephanie Morales, Wayne Bertsch, Basin Electric Power Cooperative representatives Jack Schuh, District 33 Representative Signe Snortland, Lori Hammer, Michael Berg, Weston Berg, Kevin Hafner, Wes Klein, Linette Irwin, Wayne Windhorst, Nancy Evanoff, Judy Knoell, Brandon Windhorst, Joe Grannis, Andy Thomas, Renee' Carlson, Cody Didier, Marcia Jurgens, Sheila Roth, Darlys Roth, and Elizabeth Lundstrom.
Pledge of allegiance was said.
Wolf moved to approve the amended agenda. Folk seconded. All voted aye. Motion carried.
Voigt moved to approve the July 1, 2026 regular meeting minutes with the following changes, add "Arlo Bakker" as attendee and on page 4, public comment, change "Arnold Becker" to "Arlo Bakker." Folk seconded. All voted aye. Motion carried.
Chief Deputy Mark Schmitt requested board approval to use Mercer County Sheriff's donations of $5,500 from the Coteau Mining Company and $14,836 of seized monies on the purchase of a Dive Team Trailer for $10,500 and deposit the remaining amount of $4,336 into the Special Vehicle Fund (2122). Wolf moved to approve the purchase of the Dive Team Trailer for $10,500 and deposit of the remaining funds of $4,336 into the Special Vehicle Fund (2122). Voigt seconded. All voted aye. Motion carried.
Tax Director/Land Use Administrator Jennifer Neumiller presented Zoning Case 26-07-01, and 2nd Reading to Amend of the Mercer County Zoning Ordinances:

- Zoning Case 26-07-01-Jeff Hafner- Rezone from Ag to Commercial-Outlot-A of SE4SE4 9-146-87. Folk moved to approve Zoning Case 26-07-01 as presented contingent upon the Water Board approval and to update the storm water plan if the southern part is ever developed. Voigt seconded. All voted aye. Motion carried.
- Chapter 3 Zoning Districts, Section IV - Industrial District. Wolf moved to approve the 2nd Reading of Chapter 3 Zoning Districts, Section IV - Industrial District as presented. Voigt seconded. Folk moved to amend Page 2, C. 5, add "b. Wind Energy" & "c. Solar Energy." Voigt seconded. All voted aye. Amendment carried. All voted aye. Motion carried.
- Chapter 4 Special Provisions, New Section – Industrial Use Standards. Wolf moved to approve the 2nd Reading of Chapter 4 Special Provisions, New Section – Industrial Use Standards as presented. Folk seconded. Voigt moved to amend on last page after L., add the following "M. Site Preparation, No site preparation shall be permitted until the land is properly zoned and the conditional use permit has been accomplished. This prohibition does not include basic surveying of the

proposed site." Folk seconded. All voted aye. Amendment carried. All vote aye. Motion carried.

- Chapter 4 Special Provisions, New Section – Data Center. Wolf moved to approve the 2nd Reading of Chapter 4 Special Provisions, New Section – Data Center as presented. Voigt seconded. Wolf moved to amend the following, Page 7, F.,1. At end of 1st Sentence, add "building exterior wall." and strike "property line of the closest." Voigt seconded. All aye. Amendment carried. Voigt moved to make the following amendment on Page 11, H.3. change "to meet" to "incoordination with the" Folk seconded. All voted aye. Second Amendment carried. Wolf, Voigt, and Bauman voted aye. Folk voted nay. Motion carried.
- Chapter 4 Special Provisions, New Section – Solar Energy. Wolf moved to approve the 2nd Reading of Chapter 4 Special Provisions, New Section – Solar Energy as presented. Folk seconded. All voted aye. Motion carried.
- Chapter 4 Special Provisions, New Section – Wind Energy. Wolf moved to approve the 2nd Reading of Chapter 4 Special Provisions, New Section – Wind Energy as presented. Voigt seconded. All voted aye. Motion carried.

Neumiller gave an update and discussed the compliance officer position. It was agreed that due to the unknowns of this new position that Deputy Tax Director Allie Burge will take on the compliance officer training and duties. Voigt moved to approve Deputy Tax Director Allie Burge to attend training classes for the compliance officer position as requested. Wolf seconded. All voted aye. Motion carried.

Folk moved to approve the Quarterly County Nurse report as presented. Wolf seconded. All voted aye. Motion carried.

Voigt moved to approve the Sheriff's June Revenues of $47,268.08. Wolf seconded. All voted aye. Motion carried.

Wolf moved to approve the revised minutes from the July 6, 2023 Commission Minutes as per Attorney General open records Meeting Opinion 2026-O-11. Folk seconded. Voigt recused himself. Wolf, Folk, and Bauman voted aye. Motion carried.

Voigt moved to appoint Kerby Entze to the Weed Board. Folk seconded. All voted aye. Motion carried.

Folk moved to approve WRT Utility Permit#1778(26) as presented. Voigt seconded. All voted aye. Motion carried.

Folk moved to approve Russell Walter's Utility Permit#1779(27) as presented. Voigt seconded. All voted aye. Motion carried.

2027 Preliminary Budget was discussed.

Building Maintenance Supervisor Jim Albers gave an update on the Beulah Building property.

Recessed at 09:55 a.m.

Reconvened at 10:01 a.m.

Data Center Moratorium was discussed. Wolf moved to lift the moratorium. Voigt seconded. Voigt moved to amend motion to be contingent upon final adoption, and publication. Wolf seconded. All voted aye. Amendment carried. All voted aye. Motion carried.

Folk moved to approve the bills as presented. Wolf seconded. All voted aye. Motion carried. The following bills were approved for payment: ARMOR INTERACTIVE $2,606.00; ASKIM, CRAIG $334.25; BECK, HAYDEN $470.00; BEULAH ND HARDWARE $209.90; BRONSON'S MARKETPLACE $8,131.81; CAPITAL I INDUSTRIES INC. $1,200.00; CENTRAL DAKOTA FRONTIER COOPERATIVE $36,166.00; CHI ST ALEXIUS HEALTH $209.41; CITY OF GOLDEN VALLEY $29.86; CITY OF STANTON $7,893.75; D & E SUPPLY CO INC $756.92; DAKOTA FENCE $1,863.00; DIRT PRO SERVICES $165.00; ELECTION SYSTEMS & SOFTWARE INC $50.72; ELECTRONIC COMMUNICATIONS INC $1,287.06; ELGAEN, JOSHUA $74.00; ENTZE, KERBY $36.25; FARMERS UNION OIL CO $1,780.68; FARMERS UNION SERVICE ASSOC. LTD $18,382.00; FIRESIDE OFFICE SOLUTIONS $92.02; FITTERER OIL HAZEN LLC $182.00; FLEMMER, RYAN $14.50; GOOD SOURCE SOLUTIONS $400.00; GUENTHNER, STEVE $482.10; HALLETT, JONATHON $717.50; HAZEN HEALTH PHARMACY $277.89; HAZEN MOTOR CO $530.42; HAZEN STAR $5,682.26; INFORMATION TECHNOLOGY DEPARTMENT $5,472.95; INTERSTATE ALL BATTERY CENTER $211.45; JOHNSEN TRAILER SALES, INC. $372.23; KIM'S APPLIANCE SERVICE, INC $105.82; KRAUSE SUPER VALU $34.47; LIGNITE TIRE SERVICE $9,503.91; MATTHEIS, BARBARA $8.70; MERCER COUNTY HIGHWAY DEPARTMENT $3,540.92;MERCER COUNTY SHERIFF'S DEPT $110.30; MID-DAKOTA WHEEL ALIGNMENT & $573.22; MULLOY LAW $200.00; NAPA $3,558.23; NEUBERGER OIL COMPANY $7,273.10; North Central International, LLC $7,454.87; NORTH DAKOTA ENVELOPE COMPANY $131.00; NORTH DAKOTA ONE CALL $12.00; NORTHWEST TIRE AUTO SERVICE INC. $2,178.57; OFFICE OF ADJUTANT GENERAL $720.00; OFFICE OF ATTORNEY GENERAL $2,472.00; OLSEN, AUSTIN $52.00; PFLIGER, METTA $51.48; PHARMCHEM, INC. $447.30; PROSOURCE SPECIALTIES LLC $880.00; QUADIENT FINANCE USA, INC. $1,010.00; QUADIENT LEASING USA, INC. $682.29; RDO EQUIPMENT COMPANY $167.39; REDWOOD TOXICOLOGY LABORATORY $10.00; ROOF RESCUE $8,889.93; ROUGHRIDER ELECTRIC COOPERATIVE,INC $910.77; SAILER, SHANNON $29.00; SCHEID, RICHARD $13.78; SCHLENDER, SCOTT $26.10; SOUTHWEST WATER AUTHORITY $127.03; SRF CONSULTING GROUP, INC $9,094.03; STERICYCLE, INC. $24.50; THE BEACON $621.28; TOWER COMMUNICATIONS INC $555.00; UNIFORM CENTER $231.88; VERIZON WIRELESS $42.06; VOIGT, CASEY LEE $326.95; WEST RIVER TELECOMMUNICATIONS $2,686.68; WESTERN PLAINS PUBLIC HEALTH $4,576.39; WEX BANK $109.31; WIEDRICH, DUSTIN $374.00; WOLF, GENE $87.70; BIEBER, GERALD $7.25; BOESHANS, JAYME $29.00; CITY OF BEULAH $193.07; COLE, SHANNON $33.35; ESLINGER, MIKE $7.25; HAFNER, KEVIN $24.65; Peters, Paula $19.58; TESKY, LEONARD $62.00; THOMAS, ANDY $24.65. (TOTAL: $166,386.69)

The following people spoke during public comment: Linette Irwin, Michael Berg, Renee' Carlson, Wes Klein, and District 33 Representative Signe Snortland.

Portfolio Updates were given.

There being no further business the meeting was adjourned at 10:58 a.m. The next regular meeting is scheduled for Wednesday, August 5, 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