

## **MERCER COUNTY PLANNING COMMISSION MINUTES**

The Mercer County Planning Commission met Thursday evening September 18<sup>th</sup>, 2025 at the Beulah Civic Center, Eslinger called the meeting to order at 7:00 p.m. C.T.

Members Present: Mike Eslinger, Chris Renner, Joey Neumiller, Gerald Bieber, Kevin Hafner, Casey Voigt, Shane Cole, Rick Bauman

Members Absent: Jesse Schiferl

Others Present: Mitchell Bettenhausen (Minnesota Power), Alexander Luman (Minnesota Power), Dan Flo (Merjent/Minnesota Power), Erik Edison (Crowley Fleck), Tom & Carmen Miller

Eslinger asked if there was an update on the ordinance. Voigt thought someone was going to be at the meeting from Kaffer Law. He talked to Kaffer after the commission meeting yesterday and said it would be nice if he came to the P & Z meeting to also give an explanation to the board. Ordinance updates was added to the end of the agenda for tonight's meeting. Bauman entered the meeting at 7:02

Motion by Voigt, seconded by Cole, to approve the agenda as amended, all members present voted "aye", motion passed. Motion by Bieber, seconded by Cole, to approve the minutes of August 21<sup>st</sup>, 2025. All members present voted "aye", motion passed.

### **New Business**

#### **Zoning Case 25-09-01**

This is an application from Minnesota Power for approval of a Conditional Use to construct an approximately .3-mile-long 230-kV transmission line in an Ag Zoned District. The subject parcel is located approximately 19 miles South of Beulah. The parcel is currently owned by Minnesota Power where their substation resides. The parcel is located in Sec 36, T141 N, R88W and is legally described as E2SE4SE4 & SE4NE4SE4 of the 5th Principle Meridian, Mercer County ND. The line will go from Morton to Mercer County and end and their substation in Mercer County. Their legal counsel explained the differences in PSC regulations with our old ordinance regulations versus what PSC now requires. He stated it is now common to submit the corridor and route at the same time. The PSC considers it as one application. They will have 3 poles in Mercer County. The county follows PSC process. Eslinger asked if this is for reliability or future expansion. They replied for future expansion. Motion by Cole to approve, Bieber seconded. All members present voted "aye", motion passed. Eslinger asked when they planned on starting project. They plan to start Late fall 2026, early 2027.

#### **Zoning Case 25-09-02**

This is an application from Tom & Carmen Miller for approval of a variance in structure setback. This variance request is to build a residence 6' from the property line, rather than the required 10 feet setback required by zoning regulations in the Residential Zoning District. The subject parcel is legally described as Lot 12, Pick City Cabin Site 2 adjacent to Lake Sakakawea and is approximately 2 miles West & North of Pick City. The Millers are present. Eslinger took a visit to the property. Affected neighbor is on north side of them. They moved prior cabin off and is currently vacant lot. The Miller's do have a signed letter from affected land owner, stating he is ok with the Millers encroaching on the lot line.

Eslinger would like to some kind of legality attached to the letter such as having it notarized. Voigt made a motion to approve, Neumiller seconded. Eslinger asked for any other discussion from the board. Bauman asked if this one or multiple lots. It is one lot. Bauman has concerns for when it sells down the road and what happens. Land Use Admin explained that's why they are taking the proper channels to get the variance and have the paperwork in the file. Most people do not come in for variances and just build, not taking neighbors into consideration. Miller stated we are listening to the rules set in place right now. Cole asked about drainage and run off. Miller stated that is taken care of by the engineers and builders. All members present voted "aye", motion passed.

**Other Business**

Bauman gave the ordinance update on what happened at the commission meeting yesterday. He mentioned that Commissioner Mark Pierce was unhappy that we have not received any feedback, no billing since May and that Kaffer is asking for an extension request. The Commissioners at this time decided not to grant it. They would like to see some material first before moving forward. Kaffer is to get them some draft ordinances in the next couple weeks for them to review and then be present at the Oct 15<sup>th</sup> Commission meeting. Which in then, can be presented the next day at the P&Z meeting on Oct. 16<sup>th</sup>.

Motion to adjourn made by Cole, seconded by Neumiller. The meeting was adjourned at 7:50 pm.

APPROVED:  
Jen Neumiller, Secretary

ATTEST:  
Mike Eslinger, Chairman