

Mercer County Commission Minutes June 7, 2023

The meeting was called to order at 9:00 a.m. by Chairman Travis Frey. Present were Commissioners Jamee Folk, Rick Bauman, Gene Wolf, Liza Taylor, Auditor Carmen Reed, and Dan Arens of the Hazen Star. Others present during portions of the meeting were Deputy Auditor Gwyn Bosch, Tax Director Cyndi Zueger, Treasurer Dawn Grannis, Road Superintendent Ken Miller, Maintenance Supervisor Jim Albers, States Attorney Todd Schwarz, Kris Schwab with Core Facility Solutions, Kevin Hafner, Mike Eslinger, Linda Eslinger, Wes Klein, Erick Wedesky, Robin Saiz, Kate Karges, Anna Novak, Loyal Karges, and Heidi Hamilton.

Frey requested that a late submittal for an off-sale beer license renewal from Hook Line & Sinker be added to the agenda under other business. Bauman moved to approve the amended agenda as presented. Folk seconded. All voted aye. Motion carried.

Wolf moved to approve the May 17, 2023, minutes as presented. Taylor seconded. All voted aye. Motion carried.

Board reviewed bills.

Suspended review of bills.

Chairman Frey called for a motion to suspend the regular meeting and open the public hearing for the solar ordinance. Taylor made a motion to suspend the regular meeting and open the public hearing for the solar ordinance. Folk seconded. All voted aye. Motion carried.

Public Hearing for solar ordinance commenced at 9:30 a.m.

Cyndi Zueger, Tax Director/Land Use Administrator opened the hearing by stating that zoning case no. 5076, is an application for a resolution to amend the Mercer County Zoning Ordinance under Chapter 3-Zoning Districts-Section, I. Agricultural Districts-Conditional Uses-P. Solar Energy Systems (SES). The presented ordinance was developed and approved by the Mercer County Planning and Zoning Board on May 18, 2023. Frey called for anyone from the public that has comment on this proposal. Comments were given respectively by the following: Wes Klein, planning and zoning board member/county resident, Anna Novak, District 5 Representative/county resident, Kate Karges, county resident, Eric Wedesky, Manager of Projects with IBV Energy Partners and Robin Saiz, Co-Founder, Head of Development with IBV Energy Partners.

Wolf made a motion to close the public hearing for the solar ordinance and open the regular commission meeting. Taylor seconded. All voted aye. Motion carried.

Regular meeting reconvened at 10:13 a.m.

Board discussed next steps on this ordinance. Zueger advised the board that they could change it or approve it. Folk made a motion to table the solar ordinance until legal counsel is available. Bauman seconded. All voted aye. Motion carried.

Cyndi Zueger, Tax Director/Land Use Administrator, presented a conditional use, rezone request, and preliminary plat approval to the board;

- Cond. Use-23-05-01-Jericho and Kendra Braun-Non-Farm Res-SW4 18-141-88. Taylor made motion to approve the conditional use-23-05-01. Folk seconded. All voted aye. Motion carried.
- Rezone-23-05-02-Halfner Place LLC-Ag to R-1-NE4 5-146-87. Wolf made motion to approve the rezone-23-05-02. Folk seconded. All voted aye. Motion carried.
- Preliminary Plat-23-05-03-Halfner Place LLC-Second Addition to Sandstone Point-NE4 5-146-87. Folk made a motion to approve the preliminary plat 23-05-03. Taylor seconded. All voted aye. Motion carried.

Road Superintendent Ken Miller requested a motion to approve Permit #1749, that will allow Dakota Gasification Company to bore a CO2 Pipeline under County Road 15, north of Coteau Properties. Bauman made a motion to approve Permit #1749. Wolf seconded. All voted aye. Motion carried.

Recessed 10:26 am

Reconvened 10:32 am

Frey called for a motion to close the regular meeting and open the Public Hearing. Bauman made a motion to close the regular meeting and open the County Equalization Public Hearing. Folk seconded. All voted aye. Motion carried.

Cyndi Zueger, Tax Director/Land Use Administrator opened the hearing by explaining that the total true and full valuations for all parcels within Mercer County to include cities had an overall increase of 3.75 percent. After these increases commercial parcels are at 92.5 percent and residential parcels are at 92.1 percent valuation. ND Century Code 57-12 requires all parcel valuations to be above 90 percent. If county fails to comply with the century code, the state will automatically value all parcels at 100 percent. No public comments were made.

Frey requested motion to close public hearing and open the regular meeting. Bauman made a motion to close the public hearing for the Tax Equalization and open the regular meeting. Folk seconded. All voted aye. Motion carried.

Regular meeting reconvened at 10:36 a.m.

Board discussed valuation figures and next steps in this valuation process. Wolf made a motion to approve the finalized true and full values for all parcels for Mercer County tax year 2023 as presented. Bauman seconded. All voted aye. Motion passed.

Board commenced with review of the bills. Bauman made a motion to approve bills as presented. Wolf seconded. All voted aye. Motion carried. The following bills were approved for payment. ADVANCED BUSINESSES METHODS \$1,345.52; ACME TOOLS \$3,275.96; ANDERSON, MICHELLE \$356.09; ASKIM, CRAIG \$112.86; AVI SYSTEMS, INC. \$427.50; BAKER, ADAM \$319.00; BEULAH JOB DEVELOPMENT AUTHORITY \$1,001.00; BRONSON'S MARKETPLACE \$6,898.39; BUTLER MACHINERY CO. \$1,077.94; CARDMEMBER SERVICE \$2,018.47; CHARM-TEX, INC. \$2,102.90; CITY OF BEULAH \$91.69; CITY OF STANTON \$7,918.01; COLONIAL RESEARCH CHEMICAL CORP. \$515.44; CORE FACILITY SOLUTIONS \$49,901.00; WESTERN PLAINS PUBLIC HEALTH \$4,671.90; D & E SUPPLY CO INC. \$880.97; DIRT PRO SERVICES \$165.00;

ELECTRONIC COMMUNICATIONS INC. \$1,200.00; EMINETH PLUMBING \$2,967.43; FIRESIDE OFFICE SOLUTIONS \$109.58; WEX BANK \$3,130.20; GALLS, LLC \$367.09; GRANNIS, DAWN \$102.96; HAZEN HEALTH PHARMACY \$87.11; HAZEN HARDWARE HANK \$315.81; HAZEN MOTOR CO \$212.82; HAZEN WELDING \$74.00; INTERIORS BY FRANCE OF BISMARCK INC. \$17,444.50; J & M HARDWARE, INC. \$12.99; KNODEL, ALLIE \$544.00; KRAUSER SUPER VALU \$66.76; LANGOWSKI, GONTRAN \$355.86; RELX INC. DBA LEXISNEXIS \$199.00; MENARDS \$1,237.18; MERCER COUNTY HIGHWAY DEPARTMENT \$1,931.07; MONTANA DAKOTA UTILITIES \$72.70; OFFICE OF ATTORNEY GENERAL \$1,510.00; NDVAA \$50.00; NELSON INTERNATIONAL \$112.39; NEUBERGER OIL COMPANY \$19,837.67; OFFROAD SOFTWARE, INC. \$2,025.00; ODP BUSINES SOLUTIONS INC. \$103.61; PEHL, PAM \$26.86; PFC PRODUCTS, INC. \$260.16; PFLIGER, METTA \$506.38; PHARMCHEM, INC. \$309.20; POITRAS, RACHEL \$258.93; POSTMASTER \$146.00; LINDE GAS & EQUIPMENT, INC. \$211.70; RDO EQUIPMENT CO. \$543.60; ROUGHRIDER ELECTRIC COOPERATIVE, INC. \$19,971.00; RUD PROPANE LLP \$23,451.43; SCHEELS \$633.84; SCHUTT, RONA \$68.64; SHERWIN WILLIAMS \$137.74; SIGN SOLUTIONS \$167.70; SOUTHWEST WATER AUTHORITY \$58.58; TRUENORTH STEEL \$4,888.28; VERIZON WIRELESS \$749.47; WORKFORCE SAFETY & INSURANCE \$250.00; ZUEGER, CYNDI \$42.24. (TOTAL \$189,831.12)

Request to close courthouse on July 3, 2023. No motion, request denied.

Taylor made a motion to accept the May sheriff's fees in the amount of \$59,016.36. Folk seconded. All voted aye. Motion passed.

Dawn Grannis, Treasurer requested a motion to allow her to add or delete any signatures needed at the Union Bank in order to conduct transactions related to accounts held there. Folk made motion to authorize Dawn Grannis, Treasurer to add or delete any signatures needed at the Union Bank in order to conduct transactions related to accounts held there. Taylor seconded. All voted aye. Motion carried.

Bauman made a motion to approve the 2023-2024 Annual Off Sale Beer License for Hook Line & Sinker, License #460, which will be in effect June 7, 2023 through June 7, 2024. Wolf seconded. All voted aye. Motion carried.

Portfolio Updates.

Gwyn Bosch, Policy Committee Chairman gave the second reading of the Mercer County Policy 606(B) Inclement Weather. Board discussed this policy change. Bauman made a motion to accept the Policy 606 (B) as read with the addition of "with a maximum cap of 12 hours vacation accrued per event." Wolf seconded. Discussion. Upon roll call; Bauman aye, Wolf, nay, Folk, aye, Taylor, nay, Frey, aye. Motion carried.

Kris Schwab with Core Facility Solutions gave an update on the costs of the chiller, boiler and remaining lights projects. It was decided that the chiller project is priority and will be completed now. Then we will budget for the boiler project and Kris will work with Carmen in getting grant monies for the remaining light project. These are the last of the major repairs needed and after this it will be planned maintenance. States Attorney Schwarz entered meeting and was asked his guidance on requirements of bidding out these new projects. Schwarz

stated that this chiller project would not have to go out on bid. Folk made a motion to approve the chiller project with amended contract verbiage. Taylor seconded. All voted aye. Motion carried.

Chairman Frey brought up the solar ordinance item, now that legal council is present. The board requested information on adopting this ordinance. States Attorney Schwarz discussed different aspects of the new ordinance. Taylor made a motion to table the solar ordinance decision until the next meeting. Folk seconded. All voted aye. Motion carried.

There being no further business the meeting was adjourned at 12:05 p.m. The next regular meeting is scheduled for June 21, 2023, at 9:00 a.m. in the boardroom of the Mercer County Government Center in Stanton, North Dakota. The meetings can be viewed online at www.mercercountynd.com

Approved: _____
Travis Frey, Chairman

Attest: _____
Carmen Reed, Auditor