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as added response time to Emergency services. Steve Kraft, landowner, sent a letter of support for the new route. Blake Wilkens moved and Darrell Berger seconded the motion to approve the temporary closure of: The section line between Section 19 and Section 20, T141N R83W. The section line between Section 18 and Section 19, T141N R83W. The section line between Section 24 and Section 25 T141N R84W & Section 19 and Section 30 T141N R83W. The section line between Section 19 T141N R83W and Section 24 T141N R84W. The section line between Section 14 and Section 23 T141N R84W & Section 15 and Section 22 T141N R84W. The section line between Section 14 and Section 11 T141N R84W. The section line between Section 14 and Section 15 T141N R84W & N1/2 of Section 22 and N1/2 Section 23 T141N R84W. The section line between N1/2 Section 28 and N1/2 Section 29 T141N R83W. All in favor, none opposed; motion carried. Blake Wilkens moved and Darrell Berger seconded the motion to approve the purchasing of a new Tape Drive for the server in the Auditor/Treasurer's vault for \$6,194.00. All in favor, none opposed;

motion carried. The sheriff's office has some cabinets and chairs they are wanting to get rid of due to water damage. Darrell Berger moved and Blake Wilkens seconded the motion to approve of the disposal of the chairs and cabinets, with the New Salem/Center wrestling club disposing of them. All in favor, none opposed; motion carried. A Highway Utility Permit for WRT was presented. Blake Wilkens moved and Darrell Berger seconded the motion to approve the permit. All in favor, none opposed; motion carried. A five-minute recess was called at 9:40 am. Conditional Use permit # 1052 for Minnesota Power/GRE for an HVDC modernization project was presented. Dan McCourtney and Kyle Larson from Minnesota Power were present. It will be a 2 phase project spaced out in 5 years. The project is located on land owned by Minnesota Power and Minnkota. The company is requesting use of a section line to access the property. The company has met with landowners along the section line for access. Some landowners have expressed concerns about access using 35th Ave, such as dust and safety. Myron Erhardt, landowner, is requesting use of 36th Ave SW and then 22nd St, as it is paved. Concerns were raised about the bridge on 36th, as it is only rated for 40 ton, which would not be big enough for heavy

loads. 22nd St is also considered more of a low maintenance section line, with a creek and spring crossing that would need to be built up or re-done to take heavy loads. Darrell Berger moved and Blake Wilkens seconded the motion to approve the Conditional Use Permit #1052. A roll call vote was held: Darrell Berger, Aye, Blake Wilkens, Aye and Lee Husfloen, Aye. The permit was approved. Building Permit #1055 for WRT for a building on their current tower site was presented. Blake Wilkens moved and Darrell Berger seconded the motion to approve Building Permit #1055. All in favor, none opposed; motion carried. Patty Koapke, Equalization Director, presented the following abatements: Homestead Credits #103087002 for \$748.58 and #25059000 for \$1767.08; Disabled Veterans Credit #13063000/13063002 for \$265.00; Farm Exemption #01058000 for \$391.72 and #19055001 for \$2041.45. Darrell Berger moved and Blake Wilkens seconded the motion to approve Homestead Credits #103087002 for \$748.58 and #25059000 for \$1767.08; Disabled Veterans Credit #13063000/13063002 for \$265.00; Farm Exemption #01058000 for \$391.72 and #19055001 for \$2041.45. All in favor, none opposed; motion carried. Dale Barth, resident, approached the commission with concerns about ridges made

on his land during the fire by the county blade. It has been taken care of. Darrell Berger moved and Blake Wilkens seconded the motion to approve the Youthworks Agreement. All in favor, none opposed; motion carried. Alice Grinsteinner, Oliver/Mercer EM, presented to the Commission requesting that the Total Burn Ban be lifted and the county goes back to the fire index rating ban. Darrell Berger moved and Blake Wilkens seconded the motion to lift the Total Burn Ban and move to a burn ban based on fire index ratings. All in favor, none opposed; motion carried. Discussion was held on Alice Grinsteinner becoming Oliver County's HR. Mercer County Commission would like to discuss further before making the decision to do a JPA for the HR position. Discussion was held on the roll off dumpster at the County Shop. As the burn ban is lifted, TransTrash will be contacted to remove it. The meeting was adjourned at 10:42 am. The next meeting of the Oliver County Commission will be at 8:00 AM, December 12th, 2024 at the Oliver County Courthouse meeting room. Jaden Schmidt, Oliver County Auditor Lee Husfloen, Chairman of the Board

(05-01-2025)

SECTION 324 NOTICE

In compliance with federal law, the Oliver County Local Emergency Planning Committee (LEPC) gives notice that the Oliver County Emergency Operations Plan (LEOP) which includes the Emergency and Hazardous Chemical Inventory (Tier II) Reports have been received and reviewed by the Oliver County LEPC.

These documents are available for public inspection at the Mercer-Oliver County Emergency Manager's Office within the Mercer County Courthouse at 410 Van Slyck Ave, Stanton, ND between the hours of 8:00 a.m. and 4:00 p.m., excluding holidays. (04-24-2025)(05-01-2025)

NOTICE OF APPLICATION FOR A RENEWAL AND A REVISION OF A PERMIT TO ENGAGE IN SURFACE COAL MINING AND RECLAMATION ACTIVITIES

Please take notice that BNI Coal Ltd., 2360 35th Avenue SW, Center, North Dakota 58530-9499 has submitted applications to the North Dakota Public Service Commission for Permit Renewal No. 5 and Revision No. 45 to BNCR-9702, approved on August 2, 2000, to engage in surface coal mining and reclamation operations. The area for which a permit renewal is sought includes approximately 7,655 acres in parts of Sections 20, 21, 27, 28, 29, 31, 32, 33 and

34 T142N R84W and parts of Sections 3, 4, 5, 6, 7, 8, 9 and 10 T141N R84W. This area is in Oliver County, North Dakota and is shown on the accompanying map. Renewal No. 5 will extend the permit term another five years until August 2, 2030. The permit revision depicts the coal removal subarea for the next five year permit term. The permit revision will update the Legal and Financial Section, the extended mine plan, the operations, the blasting plan,

post-mine topography, reclamation, ground water, surface water management, wildlife monitoring, post mining land use sections and the worst case bond estimate. The renewal application and the application for revision of the surface coal mining permit are available for public inspection at the offices of the North Dakota Public Service Commission, 600 East Boulevard Avenue, Bismarck, ND, 58505-0480, and the County Auditor, Oliver County Courthouse, Center,

ND, 58530. Any person with an interest which is or may be adversely affected by the renewal and revision applications has the right to file written comments, objections, or requests for informal conferences with the North Dakota Public Service Commission. Written comments, objections, and requests for an informal conference should be filed with the North Dakota Public Service Commission, 600 East Boulevard Avenue, Bismarck,

ND, 58505-0480, within 30 days after the last publication of this notice. The written request should state the concerns or objections regarding the revision. The legal description and names of the apparent surface and mineral (coal) owners of the land in the permit area that will be affected by the revised plans are as follows:

LEGAL DESCRIPTION SURFACE OWNER (S) COAL OWNERS SECTION 20 T142N R84W NE1/4 (less 2.2 ac.-Lot A) and SW1/4 BNI Coal, Ltd. USA

SE1/4 BNI Coal, Ltd. Jeanette Lange, Virginia Miller, Pella Estate, Keith Arthur, Wendy Langseth, Ross Langseth, Jacqueline Gullickson, BNI Coal, Ltd.

NW1/4 Pfliger, LLP USA

SECTION 21 T142N R84W Entire Section BNI Coal, Ltd. Jeanette Lange, Virginia Miller, Pella Estate, Keith Arthur, Wendy Langseth, Ross Langseth, Jacqueline Gullickson, BNI Coal, LTD, Assembly of God Fin. Serv., ND Council-Assembly of God

SECTION 27 T142N R84W ENTIRE Section BNI Coal, Ltd. Katherine Himmelspach, Betty Staigle, Diane Wilkens, Kathleen Mosbrucker, BNI Coal, Ltd.,Clement Bobb

SECTION 28 T142N R84W W ½ BNI Coal, Ltd. USA

NE ¼ BNI Coal, Ltd. Lucille Bobb,

Less NE1/4NE1/4 BNI Coal, Ltd., ND State Land Department

NE1/4NE1/4 BNI Coal, Ltd. John Bobb, Jr., BNI Coal, Ltd., ND State Land Department

SE1/4 BNI Coal, Ltd. Lucille Bobb, Less NE1/4SE1/4 BNI Coal, Ltd.

NE1/4SE1/4 BNI Coal, Ltd. John Bobb, Jr. BNI Coal, Ltd.

SECTION 29 T142N R84W SE1/4 Brenda Schwalbe, Eugene Yantzer, Ashley Torgerson, Arlyce Muth Ila Vandenburg, Brenda Schwalbe, Eldon Vandenburg, Wayne Vandenburg, Donna Vandenburg, Willetta Bartz, Eugene Yantzer,Ashley Torgerson, Arlyce Muth, Howard Skager, Nathan Skager, Jardene Moss, Karla Walter, Claudene Pickett, ND State Land Department

SW1/4 Brenda Schwalbe, Ila Vandenburg, Eldon Vandenburg Wayne Vandenburg, Donna Vandenburg, Willetta Bartz, Eugene Yantzer, Myron Yantzer, Daryl Yantzer LE, Carol Yantzer, David Yantzer, Tim Yantzer, Arlyce Muth, Jardene Moss, Claudene Pickett, Howard

Skager, Nathan Skager, Karla Walter Brenda Schwalbe, Ila Vandenburg, Eldon Vandenburg , Wayne Vandenburg, Donna Vandenburg, Willetta Bartz, Eugene Yantzer, Myron Yantzer , Daryl Yantzer LE, Carol Yantzer, David Yantzer, Tim Yantzer, Arlyce Muth, Jardene Moss, Claudene Pickett, Howard Skager, Nathan Skager , Karla Walter, ND State Land Department

SECTION 31 T142N R84W SE ¼ Steven and Marlene Fricke Kenneth Barnhardt, Helen Pfeleger, Dennis Barnhardt, Joanne Trinkle, Karen O. Van Amburg

SECTION 32 T142N R84W N1/2NW1/4, SW1/4NW1/4, and NW1/4SW1/4 Brenda Schwalbe, Ila Vandenburg , Eldon Vandenburg, Wayne Vandenburg, Donna Vandenburg, Willetta Bartz, Eugene Yantzer, Myron Yantzer , Daryl Yantzer LE, Carol Yantzer, David Yantzer, Tim Yantzer, Arlyce Muth, Howard Skager, Nathan Skager, Jardene Moss, Karla Walter, Claudene Pickett USA

SE1/4NW1/4 and S ½, Tom & Kathleen Lipp Tom & Kathleen Lipp Less NW ¼SW ¼ Marshall & Winston, Inc., Hancock Enterprises, Fortin Enterprises, Inc.

NE ¼ Brenda Schwalbe, Eugene Yantzer, Ashley Torgerson, Arlyce Muth Brenda Schwalbe, Ila Vandenburg, Eldon Vandenburg, Wayne Vandenburg, Donna Vandenburg, Willetta Bartz, Eugene Yantzer, Ashley Torgerson, Arlyce Muth, Howard Skager, Nathan Skager, Jardene Moss, Karla Walter, Claudene Pickett

SECTION 33 T142N R84W NW1/4, S1/2, NE1/4NE1/4, and SW1/4NE1/4 BNI Coal, Ltd. Clement Bobb, Diane Wilkens, Betty Staigle, Kathleen Mosbrucker, Katherine Himmelspach, BNI Coal, Ltd., John Bobb, Jr.

SE1/4NE1/4 and NW1/4NE1/4 BNI Coal, Ltd. Lucille Bobb, Clement Bobb, Diane Wilkens, Betty Staigle, Kathleen Mosbrucker, Katherine Himmelspach, BNI Coal, Ltd.

SECTION 34 T142N R84W W1/2NW1/4 BNI Coal, Ltd.Linda Ash, Thomas J. Dresser, Sr.

E1/2NW1/4, NE 1/4 and N1/2SE1/4 BNI

Coal, Ltd. USA

SW ¼ BNI Coal, Ltd. Mary Dresser

SE1/4SE1/4 BNI Coal, Ltd. PaulAsh, Dean Ash & Theresa Ash c/o Linda Ash, Laura Ann Dresser, Tammy Korkowski, Tom Dresser, Jr.

SW1/4SE1/4 BNI Coal, Ltd. Tom Dresser, Jr., Laura Ann Dresser,Tammy Korkowski

SECTION 6 T141N R84W NE 1/4 Marie Mosbrucker Marie Mosbrucker, Lyle Mosbrucker, Calvin Mosbrucker, Dean Mosbrucker, Brian Mosbrucker, Lorie Makelke, Nicole Wilson, Colton Schmitz, Laverne Huck Life Estate, *Remaindermen: Rachelle Markel, Raynee Morrell, Rayette Fasching, Raydene Zimmerman,Raylynn Huck, Melvin Geiger

SE ¼ Marie Mosbrucker USA

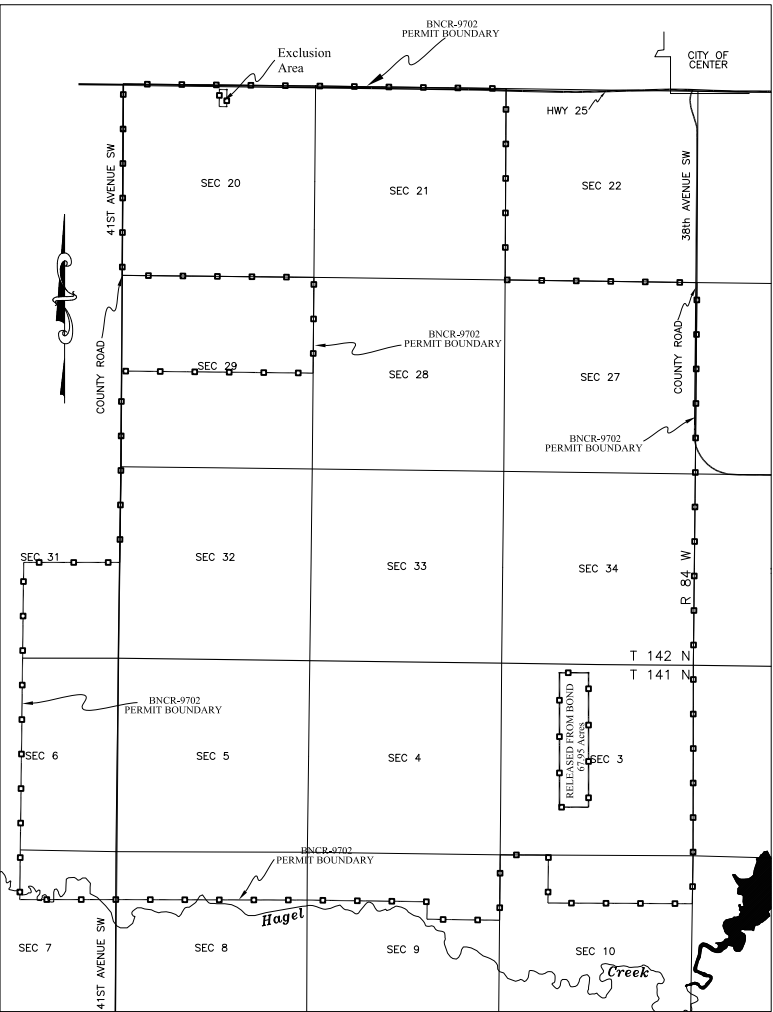
SECTION 5 T141N R84W W 1/2 Marie Mosbrucker Calvin Mosbrucker, Dean Mosbrucker, Brian Mosbrucker, Lorie Makelke, Nicole Wilson, Colton Schmitz, Laverne Huck Life Estate *Remaindermen: Rachelle Markel, Raynee Morrell, Rayette Fasching, Raydene Zimmerman, Raylynn Huck Marie Mosbrucker, Lyle Mosbrucker,Melvin Geiger, Joanne Trinkle, Karen O. Van Amburg, North Central Oil Corp., Huston Huffman & Co.

NE ¼ Thomas & Kathleen Lipp Thomas & Kathleen Lipp, Marshall & Winston, Inc., Hancock Enterprises, Fortin Enterprises, Inc.

SE ¼ Marie Mosbrucker Marie Mosbrucker, Lyle Mosbrucker, Calvin Mosbrucker, Dean Mosbrucker, Brian Mosbrucker, Lorie Makelke, Nicole Wilson, Colton Schmitz, Laverne Huck Life Estate *Remaindermen: Rachelle Markel, Raynee Morrell, Rayette Fasching, Raydene Zimmerman, Raylynn Huck, Melvin Geiger

SECTION 4 T141N R84W N1/2 BNI Coal, Ltd. B.W. Henderscheid

S1/2 BNI Coal, Ltd. B.W. Henderscheid, Enid Bargmann



SECTION 3 T141N R84W ENTIRE SECTION Minnkota Power Cooperative B.W.Henderscheid, Enid Bargmann

SECTION 7 T141N R84W E 1/2 Keith Dahl Keith Dahl, Ralph Mosbrucker

SECTION 8 T141N R84W NW 1/4 Tim Doll Helen Pfeleger, Dennis Barnhardt, Kenneth Barnhardt, BNI Coal, Ltd.

NE ¼ Calvin Mosbrucker, Dean Mosbrucker, Brian Mosbrucker, Lorie Makelke Marie Mosbrucker, Lyle Mosbrucker, Calvin Mosbrucker, Dean Mosbrucker, Brian Mosbrucker, Lorie Makelke, Nicole Wilson, Colton Schmitz,

Laverne Huck Life Estate *Remaindermen: Rachelle Markel, Raynee Morrell, Rayette Fasching, Raydene Zimmerman, Raylynn Huck, Melvin Geiger

SECTION 9 T141N R84W NW ¼ Jeff Reinke Jeff Reinke

NE ¼ BNI Coal, Ltd. B.W.Henderscheid, Enid Bargmann SECTION 10 T141N R84W NE1/4NW1/4 & NE ¼ Kenneth & Darlene Reinke USA

(04-24-2025)(05.01.2025) (05.08.2025) (05.15.2025)