

OLIVER COUNTY COMMISSION MEETING MINUTES


April 10th, 2025
OLIVER COUNTY COMMISSION PRO-CEEDINGS were called to order at 1:00 PM with all members present.
The Pledge of Allegiance was recited.
Dave Berger moved and Lee Husfloen seconded the motion to approve the agenda. All in favor, none opposed; motion carried.
Lee Husfloen moved and Dave Berger seconded the motion to approve the minutes of the March 13th and March 19th meetings. All in favor, none opposed; motion carried.
Dave Berger moved and Lee Husfloen seconded the motion to approve the following bills for payment and approve the following bills previously paid. A roll call vote was held, with Dave Berger, aye, Rob Schmidt, aye, Lee Husfloen, aye. Motion carried.
Allstate Peterbilt-561.98
Dave Berger-449.40
Center Machine Inc-1656.27
Computer Express Inc-1695.96
Dakota Fence Company-2403.95
Electro Watchman-965.25
Ben Gerving-70.00
HZ Electric-10300.00
ITD-947.45
K&M Repair-373.68
Master Fire & Safety-300.00
Menards-828.37
Mercer County Landfill-228.15
Midwest Doors-1677.00
ND Workforce Safety and Insurance-250.00
Office of the Adjutant General-263.00
Oliver County Ambulance-348.80
Quadiant Finance-439.00
RoughRider Industries-954.90
Rud Oil & Gas-6622.41
Runnings Supply-123.44
Sletten Excavating-250.00
Statewide Services-369.00
Stein's Inc-284.72
UGPTIINDLTAP-100.00
Keith Vitek-192.50
NDACO Resources Group-819.72
Motorola Solutions-48429.56
Leo's Transmission-6706.64
Mercer-Oliver Emergency Mgmt-2955.84
Mercer County HR-1699.43
Agco Finance-9497.17
Butler Machinery-12284.56
Custom Truck Accessories-28.90
Rob Schmidt-70.00
Interstate Bearing Systems-105.66
Software Innovations-10100.00
Electronic Communications-95.00
SRF Consulting-81.23

The following bills previously paid were approved:
Aflac-331.98
Beulah Rural Fire-84.26
Beulah School District-10135.12
Ryan Bohmbach-500.00
C&H Glass-10475.00
Center-Stanton School-111866.94
Center Park District-3292.74
City of Center-21744.09
Colonial Life & Accident Insurance-782.79
Companion Life Insurance-442.25
Drew Erhardt-54.05
Cale Ferderer-300.00
Fidelity Security Life Insurance-70.16
Glen Ullin Rural Fire-52.17
Glen Ullin School-1826.94
Ryan Gullickson-131.95
Hazen Rural Fire-513.81
Hazen School-12600.60
Samantha Iverson-365.60
Lexipol LLC-3042.00
Alyce Littlefield-500.00
MDU-931.31
Mercer County Ambulance-2329.32
Morton County Auditor-1863.93
Morton County Council on Aging-2890.37
Nationwide Retirement-2181.00
ND State Treasurer-468.67
New Salem-Almont School-7311.05
New Salem Ambulance-448.54
New Salem Rural Fire-344.61
Oliver County 4-H Council-64.00
Oliver County Ambulance-9456.74
Oliver County Historical Society-361.30
Oliver County Rural Fire-5038.64
Oliver Soil Conservation-3633.49
Oliver County Treasurer-14734.52
Oliver County Water Resource District-916.18
Jeb Schafer-434.51
Security First Bank of ND-43468.25
Stanton Rural Fire-131.26
SW Water Authority-83.78
TransTrash-420.00
Verizon Wireless-288.21
VISA-1912.27
Visto's Trailer Sales-16750.00
Washburn Rural Ambulance-1771.40
Washburn Rural Fire-515.96
Washburn School District-10874.16
Ashlee Weigel-477.99
WRT-1251.83
Western Plains Public Health-4971.21
Dustin Wettels-301.68
Stanley Wetzel-500.00
Payroll- \$79,411.72

Budget Amendment 2025-3 was presented. Lee Husfloen moved and Dave Berger seconded the motion to approve Budget Amendment 2025-3, as shown below. All in favor, none opposed; motion carried.

OLIVER COUNTY 4/8/2025							
2025.3 BUDGET AMENDMENTS							
FUND #	ACCT#	OBJECT	Account Name	REASON	ORIGINAL BUDGET AMOUNT	BUDGET ADJUSTMENT AMOUNT	BUDGET AMENDED TO READ
1000	4145	112	County Recorder	Adjustment to Salary Line before Deputy was moved to Clerk of Court	\$ 39,300.00	\$ (33,029.88)	\$ 6,270.12
1000	4145	111	County Recorder	Adjustment to Salary Line	\$ 51,400.00	\$ (15,552.00)	\$ 35,848.00
1000	4145	122	Contract Services/License	Adjustment to Line Item	\$ 3,500.00	\$ (1,750.00)	\$ 1,750.00
1000	4145	270	Annual Leave Sick Leave Pay Out	Removal of Line Item	\$ 300.00	\$ (300.00)	\$ -
1000	4150	111	Administrative Salaries	Addition of Line Item and Account for Clerk of Court	\$ -	\$ 44,300.00	\$ 44,300.00
1000	4150	122	Contract Services/License	Addition of Line Item	\$ -	\$ 1,750.00	\$ 1,750.00
1000	4150	270	Annual Leave Sick Leave Pay Out	Addition of Line Item	\$ -	\$ 300.00	\$ 300.00
1000	4150	340	Travel Expense-Mileage	Addition of Line Item	\$ -	\$ 600.00	\$ 600.00
1000	4150	341	Travel Expense-Meals, Motels, Etc.	Addition of Line Item	\$ -	\$ 900.00	\$ 900.00
1000	4150	900	Miscellaneous	Addition of Line Item	\$ -	\$ 500.00	\$ 500.00
2130	4311	642	Computer Expenses	Addition of Line Item for Computer at County Shop	\$ -	\$ 3,000.00	\$ 3,000.00
1000	4180	650	Machinery, Equipment & Vehicles	Addition of Line for purchase of a lawn tractor	\$ -	\$ 15,000.00	\$ 15,000.00
2130	4311	419	Security	Addition of Line for security camera purchases and updates	\$ -	\$ 5,000.00	\$ 5,000.00
				TOTALS	\$ 94,500.00	\$ 20,718.12	\$ 115,218.12

Discussion was held on implementing a burn ban. Dave Berger moved and Lee Husfloen seconded the motion to approve ‘Option A’, as shown below. All in favor, none opposed; motion carried.



OLIVER COUNTY

FIRE EMERGENCY DECLARATION & BURN BAN
Oliver County
April 10, 2025

WHEREAS, the Oliver County Board of County Commissioners recognizes that Oliver County, North Dakota has the potential for dry conditions with significant fuel supplies available; and

WHEREAS, Oliver County has sustained or has been threatened with rural fires in the past and Oliver County Department of Emergency Services has consulted with local fire departments; and

WHEREAS, the impact of fire could threaten health, well-being, and safety of the citizens of Oliver County; and

WHEREAS, the impact of fires could exceed available resources; and

WHEREAS, the potential to cause wear/tear and unprecedented costs due to fire damage could exceed County resources.


NOW, THEREFORE, BE IT RESOLVED NOW, the Oliver County Board of Commissioners declares a **Burn Restriction and Fire Emergency** effective when the North Dakota Fire Danger Rating is in the **LOW, MODERATE, HIGH, VERY HIGH, or EXTREME** rating and/or **RED FLAG WARNING** has been issued for Oliver County, North Dakota, to include all incorporated cities and when effective immediately until rescinded or through December 31st, 2025.

No Burning When Activity Matches Below

Low	Controlled burns of garbage pits of any size, Crop and agriculture land burning
Moderate	Controlled burns of garbage pits of any size, Crop and agriculture land burning
High	Controlled burns of garbage pits of any size, Crop and agriculture land burning Campfires, fireplaces and chimineas patio that burn organic material, fireworks (aerial and ground)
Very High	Controlled burns of garbage pits of any size, Crop and agriculture land burning Campfires, fireplaces and chimineas patio that burn organic material, fireworks (aerial and ground) Unnecessary off-road motorized travel
Extreme	Controlled burns of garbage pits of any size, Crop and agriculture land burning Campfires, fireplaces and chimineas patio that burn organic material, fireworks (aerial and ground) Unnecessary off-road motorized travel, grills and smokers that utilize charcoal, grills and smokers that utilize wood, smoking
Red Flag Warning	All aforementioned burning is PROHIBITED under a RED FLAG WARNING


ANY INDIVIDUAL WHO WILLFULLY VIOLATES THIS BURN RESTRICTION IS GUILTY OF A CLASS B MISDEMEANOR (NDCC 37-17.1-10.1) PUNISHABLE BY A FINE OF UP TO \$1500.00 AND 30 DAYS IN JAIL. THE MERCER COUNTY SHERIFF'S DEPARTMENT IS AUTHORIZED TO ISSUE CITATIONS TO VIOLATORS.

DATED at Center, North Dakota, this 10th day of April 2025.



Lee Husfloen, Chairman
Oliver County Commission

ATTEST:



Jaden Schmidt
Oliver County Auditor

Discussion was held on providing a public dumpster during the burn ban. It was decided to re-evaluate the situation at the May meeting before making a decision.
Discussion was held on Sheriff Fuel purchases. Rob Schmidt spoke with Rud Oil about setting up card services for county equipment. They are currently working on the software to get that set up.
Discussion was held on getting a cell phone for the Sheriff's Department office deputy. Dave Berger moved and Lee Husfloen seconded the motion to approve the Sheriff's Department office deputy to get a cell phone. All in favor, none opposed; motion carried.
There was one applicant for the Oliver County Park Board. Lee Husfloen moved and Dave Berger seconded the motion to approve Randy Schmidt for the appointment to the Oliver County Park Board. All in favor, none opposed; motion carried.
Discussion was held on moratoriums for Solar Facilities and Data Centers. The Planning & Zoning Board has made the decision to bring forth the moratoriums again. The County Commissioners have chosen to wait to make any decisions at this meeting. Lee Husfloen moved and Dave Berger seconded the motion to table the moratorium discussion until the May 6th meeting.
Building Permit #1056 for Beth Kohler was presented for a home located on SE ¼ NE ¼ of 22, 143-83. Dave Berger moved and Lee Husfloen seconded the motion to approve Building Permit #1056. All in favor, none opposed; motion carried.
The city representative for Planning & Zoning, Adam Vaughn, resigned from City Council. The Council chose Troy Hatzenbihler as the new city representative. Lee Husfloen moved and Dave Berger seconded the motion to approve Troy Hatzenbihler as the city appointment to Planning & Zoning. All in favor, none opposed; motion carried.
The 2024 Financial Statement was provided to the Commissioners.
Keith Vitek presented a quote for a new lawnmower for the Courthouse. Lee Husfloen moved and Dave Berger seconded the motion to purchase the lawn mower for \$8300 and the snowblower attachment for \$2250. All in favor, none opposed; motion carried.
Discussion was held on the S&M Lawn courthouse spraying bid. Dave Berger moved and Lee Husfloen seconded the motion to approve the bid for S&M to spray the Courthouse lawn for 2025. All in favor, none opposed; motion carried.
Discussion was held on the quote from Denny's Electric for a new backup generator. Lee Husfloen moved and Dave Berger seconded the motion to approve the bid from Denny's Electric for \$39,115.12 for the new generator and \$2865.00 for removal of the old generator. All in favor, none opposed; motion carried.
Keith Vitek, Community Club member, requested used of the Commission room during Old Settler's for the purpose of putting an 'Escape Room' on during the Old Settler's event. Dave Berger moved and Lee Husfloen seconded the motion to approve the request of the use of the Commission room. All in favor, none opposed; motion carried.
A Highway Utility Permit for WRT was presented. Lee Husfloen moved and Dave Berger seconded the motion to approve WRT's Highway Utility Permit. All in favor, none opposed; motion carried.
Brent Isaak, resident, had requested new 35 mph speed limit signs be placed near his home. He also requested mag-chloride be placed on his road for a ½ mile stretch for dust suppression. Discussion was held on this request. The cost would be roughly \$1800 per quarter mile for just the mag-chloride. A comment was made that if the county does it for one resident, then we need to do it for all that live on gravel roads. No action was taken at this time.

Discussion was held on the fence line near Rick Huntimer's property. Dave Berger moved and Lee Husfloen seconded the motion to move forward with moving the fence line back to where it was prior to the Oliver Wind IV project began. All in favor, none opposed; motion carried.
Discussion was held on getting a credit card for Kenny Rude for county shop purposes. Dave Berger moved and Lee Husfloen seconded the motion to open a County Credit Card through Security First Bank of ND for Kenny Rude with a \$5000 limit. All in favor, none opposed; motion carried.
Discussion was held on updating the server for the County Shop cameras. Dave Berger moved and Lee Husfloen seconded the motion for the county shop camera server to be updated at the cost of \$3732.02. All in favor, none opposed; motion carried.
Discussion was held on the motor grader lease. The Commission agreed to keep the same terms presented at the March meeting my Kasey Erickson of Butler Machinery, and look at a different option for trading the spare motor grader we currently have for a future option.
Discussion was held on gravel testing. Several tests done show too much sand in tested spots. They are looking into other options.
The county shop yard is currently being cleaned up and getting updated with the new fuel tanks, electric work, and shop clean up.
Discussion was held on the new cutting edges being used. The new edges have been holding up better than the previous ones and have been used for the same amount of time.
Discussion was held on fuel delivery sheets. Dave Berger and Kenny Rude will talk to Rud Oil about getting the fuel delivery sheets given to the Road Superintendent upon delivery to verify the delivery before being given to the Auditor's office for payment.
Discussion was held on liquidation of shop items. Lee Husfloen moved and Dave Berger seconded the motion to put the following items up for bids. All in favor, none opposed; motion carried.
Cub Cadet Lawn Tractor
• LTX-1046-KW
• Hydrostatic Drive
• V-Twin 21.5 HP
• Kawasaki Engine
• D2 Bag Bagger
• Front Mount Snow Blower
• 42" Mower Deck
• Rear Tire Chains
Brush Bandit Model 150 Brush Chipper
• Trailer Mounted, Hand Feed
2001 International Sanding Truck – Minimum bid of \$5000
• Stainless Steel Slide in Sander
• Front Batwing Plow
• Underbody Blade
Fiat Allis 645 Payloader – Minimum bid of \$4000
• Clam Bucket
Overhead Hoist
• FRAME ONLY
• On wheels
1985 Dodge W-350 Crew Cab Pickup
Oliver Wheel Packer
Discussion was held on the new fuel trailer. Hazmat training will be needed. 2-3 of the shop employees will go to training.
Discussion was held on road concerns within the Oliver IV-NextEra Wind Energy Project. Several representatives from NextEra were present, including Sarah Montone, Mark Dahl, Tara Fox, Tony Riess, Mike Knuth and Chase. NextEra will be moving the fence by Huntimer's. There is a washout within the section line that also needs to be addressed. Many landowners within the project area have concerns, of which include the use of non-road grade gravel and roads in worse condition than when they started.
David Henke, resident, asked why NextEra is waiting a month to work on the roads.
Daryn Karges, resident, asked who will

take care of improved section lines once the project is complete and NextEra leaves the county.
NextEra representatives stated that a discussion was held with the former road superintendent that the county would not be maintaining any improved section lines after project completion.
Concerns were addressed about wash outs in the roads and section lines, causing safety issues.
Noxious weed control concerns were also addressed. NextEra stated that they will be submitting a 'Voluntary Weed Mitigation Plan' to the Oliver County Weed Board.
Patrick Waters addressed concerns of landowners regarding speed limits and dust suppression. Waters stated that if there are any landowners with concerns in the project area, that law enforcement and the Commission need to be made aware so that he, as State's Attorney, is able to do something about it. He stated that the best option is to contact the local dispatch to have a proper recording of the concern.
Discussion was held on trees, replanting, wind erosion and weed control within the area. The Oliver SCD has been in contact with NextEra regarding tree planting, but have concerns needing to be addressed with the types of trees being offered as well as other concerns relating to tree planting, weeds and soils.
The Commission entered into a five-minute recess.
The Oliver County Weed Board, represented by Chair Brian Letzring, came to the Commission to request an amendment to their budget. The Weed Board would like to purchase a side by side, trailer and tank and are requesting an increase to their machinery, equipment and vehicles line item from \$0 to \$24,000. Discussion was held on this. Concerns were presented relating to liability insurance. Dave Berger spoke with the county's insurance agents, both of which stated that if the weed board used this equipment to rent out to landowners or to let them use it, and something happened while in use, the county could stand to lose all of its coverage on everything, not just the weed board items.
Other concerns brought up were in relation to hiring an employee, who will do the spraying, renting out of the equipment and storage of the equipment.
Discussion was held on the county weed board members. Brian Letzring, chair, requested that Dorothy Duhr be put back on the board, to replace Dave Berger. Dave Berger was appointed to the board after a lack of applicants at the time of the openings. Comments were made about the concern of having Dave Berger on the board.
Daryn Karges, resident, addressed concerns about the finances of the board. He stated that the weed board and cost share program has been working well, but concerns come into play when the weed board is wanting to build a building or spend money on equipment.
Discussion was held on weed board districts and options around moving to at large or remaining in districts.
Dave Berger suggested the Commission table further discussion on weed board items until the next meeting.
Greg Petrik, BNI, presented communication from the meeting on March 27th regarding the 37th Ave Overpass plans. Concerns were brought up about dust control during the project, as well as previous issues with it.
Keith Vitek discussed running a wire to the courthouse shed for power. He has talked to Ryan Wrobbel about doing this.
The meeting was adjourned at 4:25 pm.
The next meeting of the Oliver County Commission will be at 1:00 PM, May 6th, 2025 at the Oliver County Courthouse meeting room.
Jaden Schmidt, Oliver County Auditor
Lee Husfloen, Chairman of the Board
(05-15-2025)

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Oliver County Planning and Zoning Board will hold a public hearing on Thursday, May 29th, at 7:00 p.m., in the Meeting Room of the Oliver County Courthouse, 115 W Main St, Center, North Dakota, to consider amendments to the Oliver County Planning & Zoning

Ordinances. The changes are to add section(s) to the ordinances to address Battery Energy Storage Facilities and adjustments to the Wind Turbine Facilities portion. To see any changes, you can pick up a copy in the Auditor's Office at the Oliver County Courthouse. The public may comment by

attending the meeting or in writing to the Oliver County Planning & Zoning Board, PO Box 188, Center, ND 58530.

(05-15-2025) (05-22-2025)

NOTICE OF PUBLIC HEARING

Brenden Sweeny of Beulah, ND has applied for a conditional use permit to build a house within the NW ¼ of Section 11, Township 143, Range 84 of Oliver County, North Dakota. Take further notice that the Oliver County Planning & Zoning Commission

pursuant to the provision of Section 17.3 of the Oliver County Zoning Ordinance will hold a public hearing on the request. The hearing will be held at 7:00 PM on Thursday, May 29th, 2025, in the Meeting Room of the Oliver County Courthouse, in Center,

North Dakota. The public may comment by attending the meeting or in writing to the Oliver County Planning & Zoning Board, PO Box 188, Center, ND 58530.

(05-15-2025) (05-22-2025)