

McINTOSH COUNTY PROCEEDINGS

MCINTOSH COUNTY PROCEEDINGS
April 8, 2026
9:15 a.m.

The meeting was called to order by Chairman James Goettle. Present were Jim Heinrich, and Neil Meidinger. Also attending were Alisha Ankers, Asst. States Attorney, and many other individuals.

The Pledge of Allegiance was recited by all.

The agenda was reviewed. Item 10 was moved to after Item 7. Commissioner Heinrich moved to approve the agenda with the change. Commissioner Meidinger seconded. Motion carried.

The minutes of the regular meeting were read. Two typing errors were corrected. Commissioner Meidinger moved to approve the minutes with the corrections. Commissioner Heinrich seconded. Motion carried.

The Financial report was reviewed. Commissioner Heinrich moved to approve it as presented. Commissioner Meidinger seconded. Motion carried.

PUBLIC COMMENTS: Seven individuals presented comments on the Elba Wind project. Six of the individuals were in favor of having the wind farm and they presented the reasons why they want it. One individual was not in favor of the wind farm and he gave his reasons why.

David Okuwobi, representing Orsted, gave a presentation. He stated that a three (3) mile setback would not be feasible for the Elba Wind Project. They can make it work with a one (1) mile setback, which he says is three times the state regulations. They are only asking to change Section 7.14.5 of the ordinance. Commissioner Goettle asked if the Elba project is in McIntosh and Logan Counties. Mr. Okuwobi stated that most of the land leased is in McIntosh County. 90% of the turbines will be in McIntosh County. Commissioner Goettle stated that with our ordinance, there is room to work with a Conditional Use Permit. Mr. Okuwobi asked how many years the conditional use permit would be for and the commission stated that is could be for the life of the project, commission will make that decision when a conditional use permit application is filed. Commissioner Heinrich feels Orsted did not take all the residence into consideration. He feels they could have placed the towers differently. Mr. Okuwobi responded that they followed state guidelines. Mr. Okuwobi mentioned that with a one (1) mile setback, they would have fewer turbines.

Mike Meier presented a petition signed by 386 individuals. The petition is saying that the commissioners and zoning board refrain from any changes to the current set back rules enforced by the zooming ordinances pertaining to wind towers, data centers, and solar energy. Mr. Meier also requested that the commission adopt a one-year moratorium to get a better handle on tax revenue and other effects.

The commission discussed a one-year moratorium. Commissioner Heinrich moved to put a one-year moratorium on. Commissioner Meidinger seconded. Motion carried. After further discussion, Commission Heinrich rescinded the previous motion. Commissioner Meidinger seconded. Motion carried. Commissioner Meidinger moved to adopt a moratorium like Logan County's to include solar farms and data centers. Commissioner Heinrich seconded. Motion carried.

Marvel Gross and Randy Woehl, via phone, discussed the Historical Society and the work they are doing at the Museum. She stated that the Historical Society is an extension of the County and mentioned the following items that need addressing

- U.S. Flag and North Dakota Flag need to be replaced.
- Stated that NDSU Students were here again to help catalog items.
- The lights in the museum need to be replaced. 2/3 are not working. The Lions Club gave \$20,000.00 and Orsted gave \$3,000.00. They have an application in at KEM Electric.
- She requested that the county cover the liability insurance for the Board.
- She requested gravel for the road on the historical grounds.
- Requested that the county cover the cost of installing a telephone. DRN Readitech will install WIFI but the Historical Society needs a telephone and telephone number.
- She stated that ¾ of the income they have on their financial state-

ment is designated for certain things.

The Board decided the following. They will have the Highway Superintendent take care of the gravel issue. The Board wants a quote for the cost of the insurance.

Chris Opsahl, Highway Superintendent, met with the Board on the following matters:

- Bryan Tykwinski of Kadrmass, Lee & Jackson, met with the Board and discussed the following:
 - Highway 9 In-slope Project has been closed.
 - The low-water crossing Project has been closed
 - Highway 35 Culvert Replacement Project has been closed
 - Working on the Ventura Road Closeout. Need to check totals.
 - Still negotiating on Highway 9 project.
 - The Green Lake Road and Lake Hoskins Road chip sealing project is being bid tomorrow. He will let us know what happens.
 - SNF projects for the 2 miles to the Coldwater Park and 2.5 from Lake Hoskins Park to the Dry Lake Boat dock was approved. We need to confirm by April 30th. Commissioner Meidinger moved to approve this project, taking the dust control off. Commissioner Heinrich seconded. On the vote being taken, the following voted in favor thereof: Neil Meidinger, Jim Heinrich, and James Goettle. Against the same: None. Motion carried. This will be done next year.
 - Paving of the North half of Highway 9 is in a holding pattern until the buckets fill.
 - An individual made a comment on the letter that the county sends out with the tax statements that someone has had an electric fence in the county right-of-way for many years. Commission will investigate.
 - Francis Krumm met with the Board. He was here a year ago about removing rocks from roads. The States Attorney feels it is not a good idea to allow farmers to do this work. There is a liability issue. Mr. Krumm would like to see if something could be put in place to allow the local farmers to help with removing the rocks. Asst. State's Attorney Alisha Ankers says her analysis has not changed in regards to this. She disagrees with his analog on cutting the ditches. Commissioner Heinrich said that maybe the county could go out for about a week. They stated there are about 50 miles that need work done. It was suggested by former Highway Superintendent to do milling.
 - Chris presented the quotes for rippers and packers as follows:
 - Butler Machinery – Diamond Motor Grader Ripper - \$17,778.69
 - WR75-Series 3 Walk & Roll Packer - \$29,067.06
 - Lycox Enterprises – Packer - \$26,440.00
 - After some discussion, Commissioner Heinrich moved to purchase two rippers from Butler Machinery. Commissioner Meidinger seconded. On the vote being taken, the following voted in favor thereof: Neil Meidinger, Jim Heinrich, and James Goettle. Against the same: None. Motion carried.
 - Chris stated that he will need to budget for a new tar wagon. We cannot replace the truck because it will be too expensive. He can get a tar wagon made for about \$60,000.00.
 - Board instructed Chris to get a quote for hire a contractor of help with blading.
 - The road in the valley was discussed. Commissioner Heinrich asked Chris if it could be bladed.
- Two Utility Permits from KEM Electric were reviewed. Commissioner Heinrich moved to approve both permits. Commissioner Meidinger seconded. Motion carried.
- Gina Ketterling, County Auditor, stated that we must change the polling place in Wishek. We cannot use the Armory. We can use the Wishek Public School Cafeteria. Commissioner Meidinger moved to make the Wishek Public School Cafeteria the polling location for the June Primary Election in Wishek. Commissioner Heinrich seconded. Motion carried.
- An application for the Tax Director position was reviewed. The Board decided

to set up an interview with the candidate with Hope Schnieder, Gina Ketterling and James Goettle doing the interview. Commission Meidinger moved to make the starting salary \$42,000.00 a year with an increase of possibly up to \$49,000.00 a year after fully certified. Commissioner Heinrich seconded. Motion carried.

The 2026 Support Agreement with Software Innovations was reviewed. Cost will be \$9,900.00/year. Commissioner Meidinger moved to sign said agreement. Commissioner Heinrich seconded. Motion carried.

The funding agreement reflecting the option we selected for providing Clerk of District Court services was reviewed. Commissioner Meidinger moved to sign said agreement. Commissioner Heinrich seconded. Motion carried.

The Application for a Liquor Licenses from Big Screen Bar and Grill for the fairgrounds was reviewed. Commissioner Heinrich moved to approve the application and provide a liquor license. Commissioner Meidinger seconded. Motion carried.

The Board asked Sheriff Delzer to report on weight enforcement. Sheriff Delzer stated that there is an individual that is interested in enforcing weight restrictions. The individual would have to be a licensed peace officer. Expenses would be shared by all county involved. Sheriff Delzer and Asst. State's Attorney Ankers will coordinate.

The letter to be mailed to the North Dakota Highway Patrol requesting assistance in weight enforcement on county roads was reviewed. Commissioner Heinrich moved to sign and send the letter. Commissioner Meidinger seconded. Motion carried.

Office vouchers were reviewed and filed

BUILDING PERMITS:

- Application for a Conditional Use Permit and Building Permit from Sandy Just for a new building. Commissioner Meidinger moved to approve these two applications. Commissioner Heinrich seconded. On the vote being taken, the following voted in favor thereof: Neil Meidinger, Jim Heinrich, and James Goettle. Against the same: None. Motion carried.
 - Application for a Building Permit from Dry Lake Enterprises, LLC a new building. Commissioner Meidinger moved to approve this application. Commissioner Heinrich seconded. On the vote being taken, the following voted in favor thereof: Neil Meidinger, Jim Heinrich, and James Goettle. Against the same: None. Motion carried.
 - Building Permit from Jace Schilling for grains bins. Commissioner Heinrich moved to approve this permit. Commissioner Meidinger seconded. On the vote being taken, the following voted in favor thereof: Neil Meidinger, Jim Heinrich, and James Goettle. Against the same: None. Motion carried.
 - Applications for a Building Permit from Carl and Kary Lindgren to move a building in: Commissioner Meidinger moved to approve this permit. Commissioner Heinrich seconded. On the vote being taken, the following voted in favor thereof: Neil Meidinger, Jim Heinrich, and James Goettle. Against the same: None. Motion carried.
- The following bills were reviewed. Commissioner Meidinger moved to paid said bills. Commissioner Goettle seconded. On the vote being taken, the following voted in favor thereof: Neil Meidinger and James Goettle. Against the same: None. Absent and not voting: Jim Heinrich. Motion carried.
- 95306 County Treasurer Correction Ck - See Voucher 4.25
 - 95307 Adam Wolf Overpayment on Taxes 20.07
 - E2392-E2415 McIntosh County Payroll - Electronic..... 79,052.12
 - 95308-95310 McIntosh County Payroll - Paper 10,084.86
 - 95311 4-H Extension - Training . 120.00
 - 95312 Visa License, Travel, Tow, Repairs, Gas, Supplies 5,292.89
 - 95313 Chris Opsahl Reimburse Expenses..... 561.23
 - 95314 DCI Credit Services Executions 1,247.85
 - 95315 McIntosh County Sheriff Execution Fees..... 164.96
 - 95316 Quang - Minh Vu Overpayment on Taxes 27.42
 - 95317 A & B Business Service Contract..... 472.91
 - 95318 Aflac Supplemental Insurance... 1,785.74
 - 95319 Amazon Capital Services Office Supplies..... 62.80
 - 95320 American Solutions Office Supplies 608.88
 - 95321 Ashley Super Valu Supplies..... 21.74
 - 95322 BEK Communications Coop Phones 97.30
 - 95323 CBS, Inc Service Contract..... 629.21
 - 95324 CDFC Gas Fills..... 393.39
 - 95325 Central Iron Repair and Mfg. Flats, Cutting 94.79
 - 95326 CHS, Inc Gas Fills 57.51
 - 95327 CHS, Inc Bulk Unleaded, Diesel 1,892.88
 - 95328 City of Ashley Water, Sewer, Garbage..... 230.93
 - 95329 City of Wishek Water, Sewer, Garbage..... 67.00
 - 95330 City of Zeeland Water, Sewer, Garbage..... 80.88
 - 95331 Cole Papers, Inc. Office, Janitor Supplies..... 441.33
 - 95332 Colonial Life Supplemental Insurance 1,147.93
 - 95333 County Treasurer Postage Meter 1,064.78
 - 95334 Steven C, Delzer Reimburse Expenses 28.59
 - 95335 Dickey Rural Networks Phone/Fax, Alarms, Cameras, Webhost..... 739.99
 - 95336 E & H Communications, LLC Notices, Ads 445.36
 - 95337 ESRI ArcGIS Annual Subscription 700.00
 - 95338 G & G Implement, Inc. Oil Drain Plug 4.25
 - 95339 ITD WAN, Office 365, Intune, Netmotion 1,086.20
 - 95340 Jamestown Cmty Corrections Co/mmunity Service Program.... 660.00
 - 95341 John Deere Financial Hardware 14.00
 - 95342 John Deere Financial Motor Grader Annual Payment 58,269.67
 - 95343 KEM Electric Coop, Inc. Electricity..... 708.88
 - 95344 Gina Ketterling Mileage .. 377.50
 - 95345 Kidder County Auditor Emergency Mgr Services 1,900.00
 - 95346 KLJ Engineering LLC Road Projects 6,242.03
 - 95347 Link's Do It Best Supplies, Battery 289.28
 - 95348 Martell's Carquest Oils, Lub Supplies, Repair Parts 2,986.39
 - 95349 Martell's True Value Supplies..... 564.94
 - 95350 Matheson Tri-Gas, Inc. Acetylene..... 108.42
 - 95351 Matthew Bender & Co., Inc. Court Rule Books (2)..... 153.10
 - 95352 Montana Dakota Utilities Electricity 3,032.47
 - 95353 Newman Signs, Inc. Sign Posts. 501.45
 - 95354 Northwest Tire Tires 1,081.92
 - 95355 Northwestern Mutual Deferred Comp 2,376.00
 - 95356 Pfeifle Ford Repairs..... 528.99
 - 95357 Plunkett's Pest Control Pest Control..... 2,421.12
 - 95358 Quadiant Finance USA, Inc Postage Meter Funds 1,000.00
 - 95359 Quadiant Leasing USA, Inc Postage Meter Lease..... 419.52
 - 95360 RDO Equipment Co. Versa - Tank..... 316.11
 - 95361 RDO Truck Centers, LLC Equipment Parts 278.87
 - 95362 Rocky's Fuel Oil & Gas Bulk Fuel Oil, Propane..... 3,052.70
 - 95363 Software Innovations License, State Mandated Updates..... 17,250.00
 - 95364 SCRWD Water..... 24.31
 - 95365 Stutsman Co Correction Ctr Prisoner Room and Board 2,600.00
 - 95366 The Medicine Shoppe Prisoner Medical Expenses 44.85
 - 95367 Tri State Water, Inc. Water, Coolers..... 65.50
 - 95368 Verizon Business Cell Phones, Laptops..... 278.19
 - 95369 Vestis Rental Supplies . 1,010.88
 - 95370 VSP Vision Vision Insurance..... 63.94
 - 95371 Widmer Roel Audit Fees 5,366.00
 - 95372 Wishek Electric Supplies .. 57.42
 - 95373 Zeeland Oil LLC Gas Fills, Oil, Tire Repairs 671.52
 - 95374 NDWCA Annual Membership 285.00
 - 1381 McIntosh County Bank Direct Deposit Fees 10.40
 - 1382-1383 IRS Federal, SS & Medicare 26,257.23..... 1384
 - McIntosh County Bank Direct Deposit Fees..... 8.75
 - 1385-1386 NDPERS Insurance, Retirement..... 60,752.37
 - 1387-1415 Collections Mill Levy Disbursements..... 157,605.08
 - 1416 Aflac Dental & Vision Dental & Vision Insurance 245.20

The Year End Financial Statements from the McIntosh County Historical Society, Water Resource Board and McIntosh County Job Development Authority were reviewed and filed.

Next meeting will be May 13, 2026, at 9:15 a.m.

There being no further business, Commissioner Heinrich moved to adjourn. Commissioner Meidinger seconded. Motion carried. Meeting adjourned.

ATTEST: James Goettle, Board Chairman
Gina Ketterling, County Auditor
(May 20, 2026)

SPECIAL MCINTOSH COUNTY PROCEEDINGS
April 20, 2026 4:15 p.m.

The special meeting was called to order Chairman James Goettle. Present were Jim Heinrich, Neil Meidinger, Chris Opsahl, Highway Superintendent, Ross Knoll and Gene Knoll. Also attending via phone conference was Asst. State's Attorney Alisha Ankers.

The Pledge of Allegiance was recited by all.

The purpose of the meeting was to discuss damage done to 57th Avenue by Ross Knoll and Gene Knoll. They dug a hole and trench in the road. Commissioner Heinrich asked them what they were doing and they stated that they were trying to fix the road. They thought they would have it fixed by the end of the day. Commissioner Goettle spoke with the Asst. State's Attorney and she stated that they needed to stop immediately and Commissioner Goettle told them to stop. Commissioner Goettle read the letter from the Asst. State's Attorney the violations and the North Dakota Century Code that pertain to the violations. A quote from Scherbenske, Inc. to repair the road was reviewed. The cost came in at \$69,550.00. Gene Knoll stated that he got through it with the truck but then the bus got stuck in the road. They thought they would dig it out, put rocks in and maybe a liner. They did dump some rock in. Discussion was had on a culvert being installed. The Water Board would have to be involved for adding a culvert and possibly digging to move the water.

Asst. State's Attorney, Alisha Ankers, asked the following questions:

Was it a county road Answer: Yes Did it impede a waterway... Answer: No Is it by a federal wetland Answer: No

She got information from other counties on how they handle this. Some said they let the individuals fix it. She does not recommend that. The contractor that provided the quote stated he could start working on it tomorrow. Asst. State's Attorney Ankers also stated that the victim (county) has some input into what happens with the charges. Ross Knoll mentioned that sometimes they have to move snow because the plows do not get there soon enough and that they pay a large amount in taxes. After some discussion, Commissioner Meidinger moved to split the bill 60-40 with the Knolls paying 60% and the County paying 40% of the final bill from Scherbenske, Inc. The county is paying 40% of the bill because the county is making some improvement beyond the damage. Commissioner Heinrich seconded. On the vote being taken, the following voted in favor thereof: Neil Meidinger, Jim Heinrich, and James Goettle. Against the same: None. Motion carried.

Commissioner Heinrich moved to adjourn. Commissioner Meidinger seconded. Meeting adjourned.
James Goettle, Board Chairman
Gina Ketterling, County Auditor
(May 20, 2026)