

LEGAL NOTICES

CITY OF BEULAH SPECIAL MEETING

June 29, 2026

**CITY OF BEULAH
JUNE 29, 2026, 6:30 PM
BEULAH CITY HALL COUNCIL
CHAMBERS**

SPECIAL CITY COUNCIL MEETING

The Special Meeting of the Beulah City Council was called to order at 6:30 pm by Mayor Sean Cheatley with Council Members Tim Aichele, Cameron Brown, Kameron Plienis, Jason Isaak, Adam Baker and Kevin Herrmann present. Bill Keller absent.

Also Present: City Attorney Scott Solem, Police Chief Frank Senn, Econ/Op Dir. Beaver Brinkman, Operations Asst. Jennifer Gabel, City Auditor Heather Ferebee, Deanne Gierke, Beulah residents.

Public Hearing
The public hearing on annexations was opened.

Stacey McLaughlin is the owner of JCEE Properties LLP along with Curtis McLaughlin. It is located at 432 E Main St. Stacey McLaughlin stated they purchased the property about twenty years ago. It was outside city limits, and the utilities were already established. Ten years ago, she was approached by Neis' about annexing their property into the city. She agreed and believed it was taken care of. They considered building a garage but found out some of the property was still in the county. She stated she came to the city multiple times with questions about the property and did not receive answers. She would appreciate better communication.

Isaak stated after the council vote, certified letters were sent to each property owner. Solem stated the council approved the annexation. This hearing determines sufficiency of the protests. Properties can only be excluded if 25% or more protest. Since that threshold was not met, the annexation will proceed. Isaak stated that out of the five total properties involved, one already utilizes all city services and is required by ordinance to be annexed into the city. Brown questioned communication with the city. Brinkman stated that once Moore Engineering was involved the property was clarified. The property has all city services but has not been assessed specials as other properties in the area. Aichele stated it should be part of the city. McLaughlin stated the process has been negative for the last twenty years. Brown questioned if the property will be straightened out. Solem stated that the county should correct the tax statement.

Hearing adjourned.
Agenda Topics
Cheatley called the special meeting to order. Baker called a point of order. He believes the mayor cannot change the original agenda and requested the first reading of Ordinance No. 466 added back to the agenda. Solem stated the mayor sets the agenda. Baker responded that it is the council's agenda. He referenced a ND "gentleman's agreement" where the council submits items to city staff, and the items are added to the agenda. Baker stated he believes it is fair that both the current council and the new council have a chance to decide on it. Isaak stated that a tabled motion should be addressed at the next regular scheduled meeting.

Aichele called a point of order, noting that under Robert's Rules of Order, Baker is appealing the Chair's removal of Ordinance No. 466. Baker moved to appeal the Chair's decision. Plienis seconded. Plienis stated he did not understand why the item was removed,

as council members normally email requests to the office to be included on the agenda. Isaak stated that it is beneficial to the new council to have two chances to look at the ordinance. Deanne Gierke stated the Chamber was asked to provide a plan to help the council make a decision on the ordinance. Brown asked if the motion passes will it add the item on the agenda. Solem stated it would but that the council cannot add an item at the special meeting. He explained the difference in rules for special meetings and regular meetings. Baker stated it was on the agenda until noon today. Solem stated a tabled item cannot be removed from the table until a regular scheduled meeting. Isaak clarified that Robert's Rules of Order states that a tabled item is to be brought up at a regular meeting, the AG's opinion is that items cannot be added to a special meeting, and the motion is to add an item to a special meeting. Roll call vote found Baker and Plienis in favor. Herrmann, Aichele, Brown, and Isaak opposed. Motion fails.

Second reading of Ordinance No. 465 for electric bicycles and motorized scooters:

Solem outlined the proposed changes, which establish a minimum operating age of twelve, a maximum speed of fifteen mph, and a requirement for riders under age eighteen to wear helmets and proper footwear. The first offense is a \$50 fine. The second offense is a \$50 fine, and they need to appear in court with a parent. Senn stated the first offence could be to impound the scooter or bike. Brown stated at fourteen they are learning the rules of the road whether they hold a permit or not. Plienis stated at that age they won't want to ride a scooter; they will want to drive. Discussion followed on the penalty. Senn stated that fines could be put into a fund to buy bike helmets or fund education.

Herrmann moved to change the fine to \$20 for the first violation and \$25 for the second violation. Baker seconded. Roll call vote found Herrmann, Baker, Isaak, Brown, Aichele and Plienis in favor.

Isaak moved to approve the fines go into a separate fund called Police Dept. Educational Outreach for the purchase of helmets and outreach. Plienis seconded. Roll call vote found Isaak, Plienis, Herrmann, Baker, Aichele and Brown in favor.

Herrmann moved to have the second reading of Ordinance No. 465. Aichele seconded. Herrmann rescinded the motion.

Baker moved to change the minimum age to eleven. Plienis seconded. Roll call vote found Baker, Plienis, Isaak, Herrmann and Brown in favor. Aichele opposed. Motion passed.

Herrmann moved to have the second reading of Ordinance No. 465 with the amended changes. Aichele seconded. Roll call vote found Herrmann, Aichele, Baker, Plienis, Isaak and Brown in favor.

Solem commented on the letter prepared by Attorney Sarah Wear for the findings and decision to not approve the conditional use permit for the Verizon cell tower. Aichele moved to approve the letter as presented. Brown seconded. Roll call vote found Aichele, Brown, Baker, Plienis, Herrmann and Isaak in favor.

The meeting adjourned at 7:35 pm.
Sean Cheatley, Mayor
Heather Ferebee, City Auditor
(July 9, 2026)

MCC

major benefits from a project coming into Mercer County, with \$15 million in annual tax revenue for the county, including about \$6.5 million to the county general fund and \$7.3 million to the schools.

Commissioner Casey Stern said he wanted to see some kind of agreement in which property taxes on these facilities are reduced in exchange for an agreement guaranteeing a fixed amount of money that would come directly to Mercer County and can be distributed locally.

Folk noted that the proposed data center site would actually be located within the Center-Stanton School District, which extends into Mercer County but is focused in Oliver County where the school itself is located. She questioned how much of the stated property tax revenue for school districts would actually go to the Hazen and Beulah School Districts in Mercer County.

"There is zero guarantee of these benefits coming to Mercer County, even if (a data center) does come here," Folk said, saying she also wanted to see further breakdown and verification of the numbers that were being put forward about potential revenue to local governments and entities.

Dauenhauer said the company would need to do further research on how the county mills are distributed to answer these questions.

The commissioners noted there are also some things with the process that the county does not have jurisdiction over; for example, Voigt said the county can only regulate stormwater management, since the state has jurisdiction over water quantity and quality regulations.

Local rural residents continued to attend and speak at the May 20 meeting regarding data centers. Michael Berg mentioned reasons why he thought a 1-mile setback was feasible based on how property lines are shaped and again brought up using existing industrial sites for land, while Wes Klein talked about permit fees for data center applications and ensuring the fees assessed on companies in these applications are high enough to cover inspection and en-

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HAZEN STAR | DANIEL ARENSJ:

Klein, a county resident and candidate for Mercer County Commission, tells the current commissioners they should factor in higher permitting fees for data center applications to help cover the expenses of inspecting and enforcing regulations on a large new industry.

forcement costs for the county.

In other business, the Mercer County Commission:

- unanimously approved a temporary use permit for Badlands Aggregate for a borrow pit on the property of LeeRoy Fischer,
- unanimously approved a temporary use permit for Fisher, Sand & Gravel for a gravel pit servicing a project at Leland Olds Power Plant on the property of Wayne Windhorst,
- heard an update from Mike Eslinger with Mercer County Planning & Zoning on the ordinance draft subcommittee meetings, with meetings planned for June 2 and June 16 at 9 a.m. at the county courthouse and the next full zoning board meeting to be held June 10 at 7 p.m. at the Beulah Civic Center,
- unanimously approved using additional money in the land use administrator budget to cover any excess costs from ongoing work by SRF Consulting related to the ordinance drafts,
- unanimously approved \$4,150 in monthly revenue generated from fees collected by the Mercer County Recorder's Office,
- unanimously approved \$54,900 in revenue generated from fees collected by the Mercer County Sheriff's Office,
- discussed different options for the 2027 budget schedule, with the commission agreeing to start schedul-

- ing department budget updates during their July 15 meeting and then scheduling additional special meetings if necessary between that meeting and preliminary budget approval in early August,
- unanimously approved a chip seal resolution for three chip-seal projects (on County Roads 5, 13 and 37, respectively), with a \$1.3 million bid from contractor Astec and with all roads being federal aid roads with Mercer County responsible for 20 percent of the costs,
- took no action on a request from the Mercer County Highway Department for purchasing a track skid steer with a brush hog for clearing ditches to consider whether rentals or contracting out the brush clearing might be a more cost-effective approach,
- unanimously approved the purchase of a new tire machine for the highway department for \$11,000 to help with putting on larger tires for equipment, saying this is a safety issue,
- heard an update from Mercer County Extension Agent Craig Askim on happenings in the county so far this year as well as crop, livestock and weather outlook for the rest of 2026, and
- unanimously approved bills, holding one J2 bill for the new county building north of Beulah while waiting for additional information.

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