

MERCER COUNTY COMMISSION MINUTES

May 6, 2026

The meeting was called to order at 9:00 a.m. by Chairman Rick Bauman.

Present were Commissioners Jamee Folk, Steve Guenther, Gene Wolf, Casey Voigt, Auditor Carmen Reed, and Dan Arens of the Hazen Star. Others present during the meeting were Sheriff Terry Ternes, Treasurer Dawn Grannis, Tax Director/Land Use Administrator Jennifer Neumiller, HR/EM Director Alice Grinsteiner, Assistant Highway Superintendent Dennis Olheiser, Deputy Auditor Mark Erhardt, Moore Engineer Tom Weigel, Mercer County Planning & Zoning Board Chairman Mike Eslinger, NextEra Representatives Melissa Hochmuth, Stephanie Morales, Melissa Brooks, Kristy Smith, Basin Electric Power Cooperative Representatives John (Jack) Schuh, Erin Laverdure, Western Dakota Energy Association Executive Director Alison Ritter, Joe Grannis, Kevin Irwin, Linette Irwin, Lori Hammer, Wayne Windhorst, Brandon Windhorst, Michael Berg, Weston Berg, Duane Miller, Glenda Miller, Traci Knopik, Dallas Maas, Brenda Cook, John Phillips, Steve Hintz, District 33 Representatives Kimbell Banks, Signe Snortland, Sheila Roth, Jesse Schiferl, Patricia Tunge, Cody Didier, Kevin Hafner, Liz Lundstrom, Nancy Evanoff, ND Department of Water Resources, Reice Haase, ND Department of Environmental Quality Representatives Dave Glatt, Marty Haroldson, and Jim Semerad.

Pledge of allegiance was said. Voigt moved to approve the amended agenda. Folk seconded. All voted aye. Motion carried.

Folk moved to approve the April 15, 2026 regular meeting minutes as presented. Voigt seconded. All voted aye. Motion carried.

Voigt moved to approve the April 28, 2026 special meeting minutes as presented. Guenther seconded. All voted aye. Motion carried.

HR/EM Director Alice Grinsteiner presented

the Nationwide 5ForLife Plan that provides additional retirement options for qualified employees. Voigt moved to approve the Plan as presented. Guenther seconded. All voted aye. Motion carried.

Grinsteiner presented information regarding the total burn ban verses the burn ban restrictions based off the North Dakota Fire Danger Rating map. Folk moved to lift the total burn ban and approve the burn ban based off the North Dakota Fire Danger Rating map as presented. Voigt seconded. All voted aye. Motion carried. Landfill Director Candy Strand has requested approval of hiring parttime help. Folk moved to approve the landfill to hire a parttime person to help with picking up blowing garbage. All voted aye. Motion carried.

Duane Miller presented a petition to control engine brake noise with 26 signatures and a draft engine brake ordinance for consideration. Currently, Mercer County does not have an engine brake ordinance in place. Wolf moved to have the Commission Board request the State DOT to put engine brake signs at the corner of the Cross Roads, (Hwy 200 (45th AV NW)/Hwy 200A). Folk seconded. All voted aye. Motion carried.

Mercer County Planning & Zoning Board Chairman Mike Eslinger gave a subcommittee update.

ND Environmental Quality Director Dave Glatt gave an overview of data center water usage and responsibilities of the state, local and data center entities.

Recessed at 10:09 a.m.

Reconvened at 10:17 a.m.

Mercer County Resident Linette Irwin gave a statement on the new data center industry coming into our county and asked the commission board the following: Do not rezone agricultural land to industrial until a full framework is in place. That includes an applicant funded analysis of environmental, social, and economic impacts of a hyperscale data center project. This study should be

done by an independent contractor under contract with the county. Appropriate public hearings should occur before the analysis. Reports should be written for the public to review and public comments should be in the final document.

Moore Engineer Tom Weigel presented the 45th pavement extension project which has been awarded a \$500,000 rural infrastructure grant and has obtained \$860,000 in private funding. Total project cost is \$1,360,000. Guenther moved to approve moving forward with the design of the 45th pavement extension project conditional upon a formal agreement for the private funding. Wolf seconded. Guenther, Wolf, and Bauman voted aye. Folk and Voigt voted nay. Motion carried. Assistant Highway Superintendent Dennis Olheiser presented information on the Walk n Roll Packer purchase of \$32,740. Voigt moved to approve the Walk n Roll Packer purchase as presented but not to exceed \$35,000. Folk seconded. All voted aye. Motion carried.

Folk moved to approve the Hazen Golf Course Annual Liquor License as presented. Guenther seconded. All voted aye. Motion carried.

Folk moved to approve the Hazen Winter Sports Association Gaming Site Authorization as presented. Voigt seconded. All voted aye. Motion carried.

Folk moved to approve the Recorder March revenues of \$4,556.60 as presented. Voigt seconded. All voted aye. Motion carried.

No Public comments were heard.

Auditor Carmen Reed presented the Inspectors for Election Day Board and Absentee Board. Folk moved to approve Donna Hanson as Election Day Board Inspector and Fred Stern as Absentee Board Inspector. Guenther seconded. All voted aye. Motion carried.

Tax Director/Land Use Administrator Jennifer Neumiller requested to hire a compliance officer and states she has some monies

available within her current budget. Board requested more information on this new hire request.

Voigt made a statement to address concerned citizens regarding data center that explained the processes of the commission and the planning and zoning boards.

Portfolio updates were given.

Folk moved to approve the bills as presented.

Guenther seconded. All voted aye. Motion carried. The following bills were approved for payment: ADVANCED BUSINESS METHODS \$1,774.10; AMAZON CAPITAL SERVICES \$1,040.00; ASKIM, CRAIG \$446.08; AUTO VALUE \$33.98; BEULAH JOB DEVELOPMENT AUTHORITY \$1,196.67; BEULAH LUMBER CO \$72.99; BEULAH ND HARDWARE \$278.40; BRONSON'S MARKETPLACE \$7,235.54; BUTLER MACHINERY CO \$12,301.51; CAPITAL I INDUSTRIES INC. \$3,803.89; CHARM-TEX, INC. \$1,120.22; COLONIAL RESEARCH CHEMICAL CORP. \$1,186.37; D & E SUPPLY CO INC \$952.83; DAKOTA AWARDS, INC. \$26.99; DIRECT MED \$17.82; DONOVAN & KAFFAR PLLP \$427.50; ELECTION SYSTEMS & SOFTWARE INC \$5,433.79; ELECTRONIC COMMUNICATIONS INC \$1,554.06; EVERSPRING INN AND SUITES \$220.00; FARM & HOME PUBLISHERS, LTD. \$150.00; FARMERS UNION SERVICE ASSOC. LTD \$897.00; HAZEN HARDWARE HANK \$230.92; HAZEN HEALTH PHARMACY \$215.09; HAZEN WELDING \$159.55; ISTATE TRUCK CENTER \$282.43; J-S SANITATION \$50.00; KRAUSE SUPER VALU \$25.73; LEXIS NEXIS MATTHEW BENDER \$278.86; LINDE GAS & EQUIPMENT, INC. \$621.69; LUCKYS TOWING AND REPAIR \$550.00; MATTHEIS, BARBARA \$126.18; MERCER COUNTY HIGHWAY DEPARTMENT \$6,892.13; MERCER COUNTY SHERIFF'S DEPT \$136.10; MIDCONTINENT COMMUNICATIONS \$149.53; MIDWEST DOORS OF DICKINSON, INC \$226.00; MONTANA DAKOTA

UTILITIES \$115.15; MOORE ENGINEERING \$50,659.78; MOTOROLA SOLUTIONS \$31,820.00; MUL T SERVICES & CONTRACTING \$600.00; NAPA \$2,055.71; ND ASSOCIATION OF COUNTIES \$11,031.18; ND DEPARTMENT OF TRANSPORTATION \$2,703.17; NDSU AG COMMUNICATION \$25.00; NEUBERGER OIL COMPANY \$20,610.87; NEUMILLER, JEN \$180.53; North Central International, LLC \$439.16; PFLIGER, METTA \$60.00; POSTMASTER_66229 \$78.00; POSTMASTER_66235 \$53.00; PROSOURCE SPECIALTIES LLC \$2,055.00; RDO EQUIPMENT CO. \$239.24; ROOF RESCUE \$8,889.93; ROUGHRIDER ELECTRIC COOPERATIVE, INC \$175.00; RUD PROPANE LLP \$7,708.68; S & M LAWN SERVICE \$405.00; SOUTHWEST WATER AUTHORITY \$57.97; STERICYCLE, INC. \$24.50; T-MOBILE USA, INC \$87.34; THE HUB CONVENIENCE STORES, INC. \$108.19; TOMCHUK, BRYAN \$110.00; TYLER TECHNOLOGIES \$180.00; UNIFORM CENTER \$1,020.90; VERIZON WIRELESS \$618.63; WEST RIVER EQUIPMENT \$254.75; WEST RIVER TELECOMMUNICATIONS \$5,454.66; WEX BANK \$68.25; WORKFORCE SAFETY & INSURANCE \$250.00; CITY OF BEULAH \$123.61; ESLINGER, MIKE \$408.90; GRINSTEINER, ALICE \$883.20; Peters, Paula \$549.60; RENNER, CHRIS \$421.55. (TOTAL: \$200,640.40)

Wolf moved to raise the County Road Department spending limit to \$10,000. Folk seconded. All voted aye. Motion carried.

There being no further business the meeting was adjourned at 11:32 a.m. The next regular meeting is scheduled for Wednesday, May 20, 2026, at 9:00 a.m. in the boardroom of the Mercer County Government Center in Stanton, North Dakota. Meetings can be viewed live at <https://www.youtube.com/@MercerCo>

Approved: Rick Bauman, Chairman

Attest: Carmen Reed, Auditor

(06-11-2026)

Industrial hygienist speaks in Hazen

BY DANIEL ARENS

Tammy K. Clark, an industrial hygienist with her own company, Tammy K. Clark Companies, LLC, came out to Heritage Park in Hazen June 4 to talk about the concerns she sees with data center development.

Based out of Florida, Clark has traveled around the United States to speak to her concerns about the impacts of data centers, in particular large hyperscale centers, on human and environmental health.

“Our job is to anticipate, recognize, evaluate and control hazardous public health materials,” Clark said in defining an industrial hygienist. She added that she is credentialed through OSHA.

Clark's North Dakota visit began with an appearance at the Oliver County Commission meeting in Center, immediately before continuing further up to Hazen to talk to residents gathering at the park. She also spoke in Minot on June 7.

Clark previously came to North Dakota during the COVID pandemic years, where spoke out against mask mandates in the state and in other places around the nation. She compared her work fighting the mask mandates to her problems with data centers, claiming that both infringe on the health and personal freedoms of Americans.

One of the primary issues Clark had with hyperscale data centers involved tonal noise, which she said is noise that is not heard but

is felt as a vibration. She said noise nuisance measurements are typically dBA (A-weighted decibels) that measure sound volumes based on what the human ear actually perceives, rather than dBZ (“Zero” decibels) that measure the total frequency produced whether perceptible or not. Clark argued for a dBZ form of measurement.

“We don't have the meta-analysis studies on hyperscales yet, so we have to use observational analysis,” Clark said, adding this is one of the reasons she is urging government entities to pause on moving forward with projects until these potential effects can be studied further.

Clark also argued against hyperscale data centers generally, saying she did not have a problem with smaller data centers that have been around for decades but opposed the larger centers that she alleged pursued their own agenda that did not benefit ordinary Americans.

Clark claimed there were alternative methods that, though more expensive for companies, would help address some of her concerns. These include a dielectric cooling system (or liquid immersion) which she said submerges electronic components into a fluid that means fans and other noise-producing elements of the data centers are not needed.

Around 100 people came out to Heritage Park to hear Clark's talk. Two Mercer County commissioners and a few candidates for public office were present.



PHOTO CREDIT OF DANIEL ARENS
Tara Fisher Dukart (foreground) introduces Tammy C. Clark (background), an industrial hygienist currently traveling around the nation to voice her concerns about hyperscale data centers. Dukart helped organize for Clark to come to Hazen.



PHOTO CREDIT OF DANIEL ARENS
Tammy C. Clark speaks to a large crowd at Heritage Park in Hazen, urging those attending to stand up, make their voices heard and work together to prevent major hyperscale data center development that she argued would hurt the quality of life of people living in the area.