

PROCEEDINGS OF PIERCE COUNTY, NORTH DAKOTA, BOARD OF COUNTY COMMISSIONERS

April 7, 2026

The Pierce County Board of County Commissioners met in regular session on April 7, 2026. Chairman Bednarz called the meeting to order at 8:00 A.M. with members Bohl, Berg, Migler, and Hoffert present.

Chairman Bednarz led the Pledge of Allegiance.

Moved by Bohl and seconded by Hoffert to approve the consent agenda. Motion carried.

Moved by Hoffert and seconded by Bohl to accept the March minutes as mailed, with one change. Motion carried.

Board reviewed Officer fee reports and hourly workers time sheets.

Moved by Bohl and seconded by Migler to approve those bills previously paid and those yet unpaid were ordered paid. Motion carried.

After reviewing the financial report, a motion was made by Migler and seconded by Bohl to accept the financial report for the month of March. Motion carried.

Josh Siegler, Pierce County Sheriff and Mike Graner, Jail Administrator, HACTC, joined the meeting.

Josh Siegler, Sheriff, met and gave the board a report for the month of March for his department. Total calls-44; Medical Calls-1; Fire Calls-3; Traffic Accidents-1; Assist Other Agencies-8; Prisoner Transports-3; Arrests- 5 (2-Driving under Suspension, 3-Warrants); Citations-20; Papers Served-16; Warrants Served-3. Siegler reported that there were no personnel changes.

Board recessed to sit on the HACTC Board.

Mike Graner, Jail Administrator, HACTC, went over the bills for the month of March. Moved by Bohl and seconded by Migler to approve those bills previously paid and those yet unpaid were ordered paid, for the month of March, for the HACTC. Motion carried.

Mike Graner, Jail Administrator, HACTC, gave the Board a report on the inmate population at the jail facility for March, which was 71 (ADP). Current inmate count is 72. High of 75 for March. Bookings 31, Releases 34. Pierce County inmate population for March was 3. Deficit of \$33,969.99 for the month of February. Personnel 20/24 officers. Graner reported that the Director of Nursing started this week. Graner said the DOCR site inspection was held April 1-2. There were 4 corrective actions requested. Overall a great inspection and full compliance for previous issues. Graner talked about the Reassurance Solutions safety technology, which measures heart rate, breathing, and movement in the cells. This technology could save a life. Graner asked if the opioid funds could be used to purchase two of these

devices. The annual fee is \$1,000 per device. Moved by Bohl and seconded by Berg to use the opioid funds. Motion carried. Moved by Migler and seconded by Hoffert to approve the financial report for the month of February, for the HACTC. Motion carried.

Board reconvened at 9:10 A.M., with all members present.

Galen J. Mack, States Atty., stopped by briefly.

Jeff Kenner, Guy Larson, & Lincoln Larson joined the meeting. Kenner also had Senator Kent Weston on his phone. Kenner presented the Board a copy of HB1371 and a copy of Dakota SAO II, LLP registration forms. Kenner said they found a multitude number of violations. He said they are breaking the law. Kenner said they are supposed to provide a list of their investors. Migler said this process is all in the State's hands. Kenner said the Dept. of Environmental Quality won't do anything with those violations, it's not in their wheel house. Kenner said they should list all of the investors, which they have 18, but there should only be 10. Berg asked shouldn't that be up to the State? Guy Larson said that's why it's up to you, you can do something about it. Kenner said look over the information for HB1371 and what they discovered in this house bill. Kenner said he is providing honest information. Senator Kent Weston said one of the main points is this bill includes all forms of corporations. People are questioning this, this includes LLP's. Weston said they have to completely divulge all owners and if there are foreign owners. Kenner said there could be Chinese owners, we don't know, since they haven't listed all of the owners. Weston said it is not a good decision to go forward. Bednarz asked couldn't the State take over and see what's wrong with this application? Kenner said he checked with ND DEQ and they are only concerned with the water issues, they don't care who applies. Kenner said Summit Ag has 50,000 acres in the U.S. and 11,000 in Brazil. He said HB1371 is not designed for big corporations. Kenner said Eric Peterson, with Dakota SAO II, LLP, has broken many laws. Kenner said the commissioners could do something, they could rescind their vote, because of all the broken laws. Kenner said he just wants things to be done right. Weston said he worked tirelessly on HB1371. Weston said the whole purpose of this bill is so that ND knows who is doing business and it applies to this LLP, 100% applies to this LLP. Guy Larson said they must list the names of livestock owners, the name and address of each member, of which there are 18. Kenner said they are taking advantage of our ND nice. Kenner said he didn't have all of this information at the time of the hearing and now wanted to talk to the Commission before it's too late. Kenner said it's easy to rescind your vote. Bednarz asked what would happen if we did? Kenner said they would have to restructure. Weston said they can reapply. Weston said they're not doing things right. Weston said you cannot accept this application. Weston said do what is right for ND, this law is for protecting against this, there could be a Chinese owner, we don't know. Kenner said they need to abide by the law, so he was coming now, asking the Commission to rescind their vote. Kenner said Dakota SAO II, LLP, can reapply, they can come back. Guy Larson said this should be for small owners. Kenner said these are huge owners. Guy Larson said they are not listing the owners, actively engaged in farming, we don't know if they are citizens of the U.S., they need to disclose their partners. Migler said we didn't have this information at the time of the hearing. Kenner said David Houge, Senate Majority Leader, said this applies to HB1371. Berg asked shouldn't the Secretary of State abide by the laws? Berg said Dakota SAO II, LLP, shouldn't have been allowed to apply and now you're putting it on the County. Kenner said Dakota SAO II, LLP, can reapply and comply with requirements, they have to abide by the laws. Weston said that is correct. Migler asked Weston if they would rescind their motion,

would he come and help-back us. Weston said he would be willing to help. Bednarz asked if the Commissioners would like to rescind their vote from 11/13/25. Bohl said he would like to see Dakota SAO II, LLP, following the law. Berg said this decision shouldn't be on us. A motion was made by Bohl to rescind the motion from 11/13/25 approving the conditional use permit for Dakota SAO II, LLP, for a swine animal feeding operation located in N1/2SE1/4 of Sec.24-158-69, amended to approve with conditions, this was seconded by Migler. Hoffert was also in favor of rescinding the motion. Berg was not in favor of rescinding the motion, he felt this should be on the State to enforce. Bednarz was in favor of rescinding the motion. Motion carried. Weston said Summit would have to reapply. Kenner said the application is null and void, since they didn't abide by the law.

Kelsey Siegler, DES Coordinator, joined the meeting. Siegler gave the Board a quarterly report. Siegler gave the Board two options for the burn ban. Moved by Bohl and seconded by Berg to go with the high burn restrictions and calling in controlled burns. Motion carried. The Board of Pierce County Commissioners issued a Fire Emergency Declaration and Burn Restriction(s) to include the restriction of recreational burning, open burning (Any burning that takes place in an unenclosed space. Includes the burning of leaves, grass clippings, garbage and pits, construction debris, fallen trees, crop residue or hay land, sloughs and bonfires.); also, restricting the use of fire to demolish structures when the ND Fire Danger index is in the "High, Very High or Extreme" Index and/or a "Red Flag Warning" has been issued for Pierce County. However, these restrictions do not ban the use of grills or commercially sold enclosed firepits, but it is required that grills or enclosed fire devices be on a hard non-organic surface and be a minimum of 15 feet away from any dry vegetation when the Fire Danger Index is High, Very High, or Extreme. The use of Fireworks is prohibited when the fire index rating is High, Very High, or Extreme or a "Red Flag Warning" has been issued. Be it also required that any controlled burn occurring within the limits of Pierce County be reported to the LEC by calling (701) 776-5245 and supplying the name of the responsible party, contact number and location of the burn along with any other requested information. These burn restrictions are in effect for Pierce County, but do not apply to the incorporated cities of Balta, Rugby or Wolford. These restrictions have been issued for Pierce County, ND expiring on October 31st, 2026.

Danielle Jacobson, Pete Ritterman and James Ritterman joined the meeting.

As the hour of 10:00 A.M. was past, the Chairman called for the opening of the bids for Clay and Graveling and Machine Hire, for the 2026 construction season. After reviewing the bids, a motion was made by Hoffert and seconded by Bohl to accept all bids. Motion carried. Discussed were the deadlines and contractors having their bidding in on time.

As the hour of 10:30 A.M. was past, the Chairman called for the opening of culvert bids. One bid was received from True North Steel. Moved by Hoffert and seconded by Berg to accept the culvert bid from True North Steel. Motion carried.

Moved by Bohl and seconded by Hoffert that annual payment be made from the Road Districts to Road & Bridge Fund, for blading and snow removal for township roads with motorgrader. Motion carried.

Jesse Brandvold and Jessica Tagestad, Wold Engineering, joined the meeting. Brandvold discussed the chip seal project CP-3500 (025). Brandvold also discussed the Rush Lake Township project that was awarded through the Flex Funding. Bohl asked when that will be bid. Brandvold said it depends on the wetlands and the Corp. of Engineering. Tagestad said there could potentially be bids in the Fall and construction next year. Brandvold asked the Board if they would be willing to sign a contract on behalf of the township, since the monies will be paid to the County and then the County will pay the township. Moved by Bohl and seconded by Hoffert to sign a contract on behalf of Rush Lake Township. Motion carried.

As the hour of 11:00 A.M. was past, the Chairman called for the opening of the bids for chip seal proj. CP-3500 (025). There were three bids received: Asphalt Pres.Company, Inc. for \$516,485.91; Morris Seal Coat & Trucking \$520,802.09; and Asphalt Surface Tech.Corp. \$508,657.98 The bid was awarded to Asphalt Surface Technologies Corp. for \$508,657.98

Board reviewed abatement applications from the following: on parcel #10679000 submitted by Connie Mitchell for tax year 2025 (2026-3) on the following described property as Whites 1st Lots 5-6 & N3' Lot 7, Block 19, City of Rugby.; on parcel #08523000 submitted by Bernadine Meckle for tax year 2025 (2026-4) on the following described property Comstocks N.Side Lots 1-2-3, Blk. 1, City of Rugby; on parcel #05890001 submitted by Melissa Sass for tax year 2025 (2026-5) on the following described property – Outlot 329 in S1/2SE1/4 Sec.34 152-72. Moved by Bohl and seconded by Hoffert to approve the abatement applications for tax year 2025 as recommended by the Tax Director, as Homestead Credit filed. Motion carried.

Board reviewed correspondence letter from ND Insurance Reserve Fund, pertaining to electing a representative in the "At-Large" category, to serve on the Board of Directors. Moved by Bohl and seconded by Berg authorizing the Chairman to cast a proxy vote, to elect Chad Peterson to the Board of Directors, to represent counties on the ND Insurance Reserve Fund. Motion carried.

Comm.Migler informed the Board that Paul Zeien will be retiring as a blade operator by July 1st. Migler also discussed the usage of the reclaimer in Antelope Lake Township and what to charge.

There being no further business to transact, moved by Bohl and seconded by Berg to adjourn the meeting at 11:33 A.M. Motion carried.

Karen Migler, Auditor-Treasurer
Pierce County, North Dakota

David Bednarz, Chairman
Board of County Commissioners

PROCEEDINGS OF PIERCE COUNTY, NORTH DAKOTA, BOARD OF COUNTY COMMISSIONERS
April 13, 2026

The Pierce County Board of County Commissioners met in special session on April 13, 2026. Chairman Bednarz called the meeting to order at 11:00 A.M. with members Berg, Bohl, Migler, and Hoffert present. Also present was Neil Lotvedt.

Chairman Bednarz led the Pledge of Allegiance.

Based on the letter received from Gibbens Law Office, moved by Bohl and seconded by Hoffert, to rescind the motion from April 7, 2026, in regards to Dakota SAO II, LLP conditional use permit. All members were in favor of rescinding the motion. Motion carried.

There being no further business to transact, moved by Bohl and seconded by Berg to adjourn the meeting at 11:04 A.M. Motion carried.

Karen Migler, Auditor-Treasurer
Pierce County, North Dakota

David Bednarz, Chairman
Board of County Commissioners

MARCH EXPENDITURES

NDPERS \$676.98, ND CHILD SUPP \$72, NDPERS \$33380.93, NORTHERN PLAINS ELEC \$160, CITY OF RUGBY \$2622.36, HACTC RES FUND \$832, PIERCE CO PAYROLL \$89901.12, PIERCE CO. TREAS \$15.48, MESSERKI & KRAMER \$682.10, CREDIT BUREAU \$861.05, JP MORGAN \$2209.66, NDPERS \$0.28, NDC \$1117.15, PIERCE CO PAYROLL \$113832.59, PIERCE CO TREAS \$246.57, AFLAC \$1339.58, SECURITY BENEFIT \$2202.93, NATIONWIDE \$2431.22, SIEGLER, KELSEY \$2000, OTTER TAIL \$14809.47, SOFTWARE INNOVATIONS \$7350, PIERCE CO PAYROLL \$42003.38, PIERCE CO TREAS \$13.11, NDPHIT \$87755.67, NDPERS \$39280.50, HACTC BILLS \$52440.18, HACTC RES FUND \$908, BOHL, JOE \$150.80, MIGLER, DAVID \$250.13, ND CLERK'S ASSOC \$100, BISMARCK HOTEL \$110, MIGLER, KAREN \$333.75, LEEVERS \$13.95, STEIN'S \$129.94, HARDWARE HANK \$180.99, JOHNSON PLUMBING \$212.36, RUNNINGS \$113.26, CIRCLE SANITATION \$207.25, CITY OF RUGBY \$665.14, PIERCE CO TREAS \$51.55, COLUMN \$552.24, TRIBUNE \$172, VANGUARD \$3525, COMPUTER STORE \$249.99, RUGBY INS AGENCY \$40729, SOFTWARE INNOVATIONS \$9900, TORMANEN, KEVIN \$108.15, GAFFANEY'S \$886.50, QUADIENT FIN \$2499.21, QUADIENT LEASING \$1035, ITD \$5449.92, RUGBY SERV CTR \$2051.88, CITY OF RUGBY \$3993.61, AUTO DOCTOR \$1011.96, HURLY, SEAN \$112, MCGUIRE'S \$1363.75, BRAD'S TOWING \$306, SIEGLER, KELSEY \$2000, HACTC \$5711.48, HAGER, DUSTIN \$300, OFF OF ATTY GEN \$155, NDCO \$91, DAKOTA DYNAMICS \$1000, COMPUTER EXPRESS \$1779.99, MATT BENDER & CO \$307.61, ISOLVED \$293.45, SOURIS BASIN \$3427, ST. MICHEL'S \$1998, WIBE, NATALIE \$461.69, ND COMM CORR ASSOC \$219, OTTER TAIL \$269.69, ZEIEN, PAUL \$241.43, LYSNE, DAREN \$59.45, CITY OF BALTA \$396, ENVISION \$13741.25, POMP'S TIRE \$3096.08, JD FINANCIAL \$1008, LINDE GAS & EQUIP \$179.25, CITY OF WOLFORD \$404, RDO \$2200 GRAND TOTAL \$614949.04