

PUBLIC NOTICES

November 8, 2018 OLIVER COUNTY COMMISSION PROCEEDINGS were called to order at 8:00 A.M. with all members present.

Blake Wilkens moved and Darrell Berger seconded the motion to approve the agenda. All in favor, none opposed; motion carried.

Blake Wilkens moved and Darrell Berger seconded the motion to approve the October 4, 2018 minutes as written. All in favor, none opposed; motion carried.

The following bills were approved for payment:

- Ameripride Linen 585.26, Berger, Carrie 144.96, Berger, Darrell 66.55, BHG, Inc. 1,129.00, Binder, Jessica 76.30, Bis-Man Lawnsprinklers 125.00, Bittner, Yolanda 153.68, Butler Machinery 10,041.78, Caterpillar Financial Services 78,760.22, Center Machine 49.63, Centre Inc. 960.00, City of Center 163.41, Coal Conversion Counties 1,400.00, Coal Country CHC 92.00, Corner Express 929.21, DS Solutions 175.00, Dave's Sales & Services 3,306.32, Doll, Sherry 144.96, Election Systems & Software 770.70, EverSpring Inn & Suites 338.40, Fagerland, Janet 144.96, Farm & Home Supply 30.10, Folk, Deb 166.76, Giesen, Rita 144.96, Goetz, Jeffrey 2,500.00, Henke, Joyce 157.70, Hildebrand, Sheila 183.86, Hintz, Judith 186.92, Huber, Laura 119.90, Husfloen, Lee 76.30, I-State Truck Center 107.05, ITD 501.75, Johnson Trailer Sales 72.30, Karges, Janice 166.42, Kindsvogel, Jayar 2,500.00, Klindworth, Lana 168.94, Letzring, Joell 153.34, MDU 1,217.79, Mercer County Sheriff Dept. 1,800.00, Mercer/Oliver 911 4,486.51, Moore Engineering 7,565.35, NDACO 1,790.00, NDACO Resources Group 146.86, NDPERS 19,892.66, NDSPLS 170.00, Nelson, Linda 8.44, OK Tire Stores 288.70, Oliver County Ambulance 272.60, Oliver County Treasurer 219.54, Oliver Emergency Management 2,381.15, Ramkota Hotel 84.60, Robert Gibb & Sons 888.84, Roughrider Electric 280.00, Rud Oil Co. 11,716.96, Sakakawea Clinic 227.00, Sakakawea Medical Center 1,029.77, SBM 621.93, Scheetz, Mary 186.38, Schmidt, Richard 919.48, Schwalbe, Sheila 186.38, Seachange Print Innovations 350.00, Smith, John 179.50, Stein's Inc. 330.30, SW Water Authority 57.63, Tvester, Judy 135.90, Verizon Wireless 338.38, Vitek, Keith 450.00, W.D. Larson 1,518.26, Uniform Center 59.50, Waste Management 124.44, WRT 1,039.65, Wicklund, John 61.74, Wilkens, Blake 49.05.

Laura Huber, Treasurer, presented a farm exemption for Daniel & Amber Staigle. Blake Wilkens moved and Darrell Berger seconded the motion to approve the farm exemption for Daniel & Amber Staigle. All in favor, none opposed; motion carried.

John Wicklund, Land Use Administrator, presented Building Permit #885 for Rick Schmidt for a 28' x 50' barn in the N 1/2 of Section 24-142-84. Darrell Berger moved and Blake Wilkens seconded the motion to approve Building

Permit #885. All in favor, none opposed; motion carried.

Blake Wilkens moved and Darrell Berger seconded the motion to approve the NDDOT Annual Maintenance Certification for county federal aid projects. All in favor, none opposed; motion carried.

Darrell Berger moved and Blake Wilkens seconded the motion to approve the Juvenile Detention Services Agreement between the ND Dept. of Corrections and Rehabilitation (YCC) and Oliver County commencing on January 1, 2019 and expiring on June 30, 2021. All in favor, none opposed; motion carried.

Kyle Miller, Road Superintendent, discussed purchasing a Hitchdoc HDS 9200 Snow Blower from Butler Machinery for \$48,875.00 with a financing option of 5 equal payments of \$10,361.24 with the 1st payment due upon delivery.

Kyle Miller, Road Superintendent, discussed the Darnell Boeckel gravel pile. He stated he would like to pay Darnell Boeckel the remaining amount of money we owe for gravel as he has it budgeted for 2018. The JD tractor we leased from RDO has been returned. Kyle also mentioned he would like to purchase wooden snow fences that he would use by the Hannover Road and in an area towards Price's feedlot and wherever else it would be needed. He can purchase 50 ft. rolls for \$47.00 and would probably need 8 to 10 rolls. He also discussed purchasing coveralls versus renting them.

Derrick Placek, Jodey Houn, and Ty Murray, BNI Representatives, gave an update on finishing the road by Krafts.

Vernon Henke, Resident, asked the commission to close the section line between Sections 13 and 14 - 142-85. He would like to plant trees etc. on the section line. The commission informed Mr. Henke that they would not approve the section line to be closed. He was informed he can plant trees up to the section line but if the trees ever needed to be removed, it would be at the cost of the landowner.

Lloyd Huber, Sr. discussed the water flow diversions etc. in Section 27-142-86.

John Mahoney, States Attorney, & Sandy Olin, Office Manager, discussed the States Attorney position starting January 1, 2019. Mr. Mahoney received the most write-in votes on the November 6th, 2018 election. Darrell Berger moved and Blake Wilkens seconded the motion to appoint John Mahoney and hire him as the acting Oliver County States Attorney for 2019 on the same terms as he is presently now working contingent on States Attorney assurance of legality. All in favor, none opposed; motion carried.

The meeting was adjourned at 10:35 A.M.

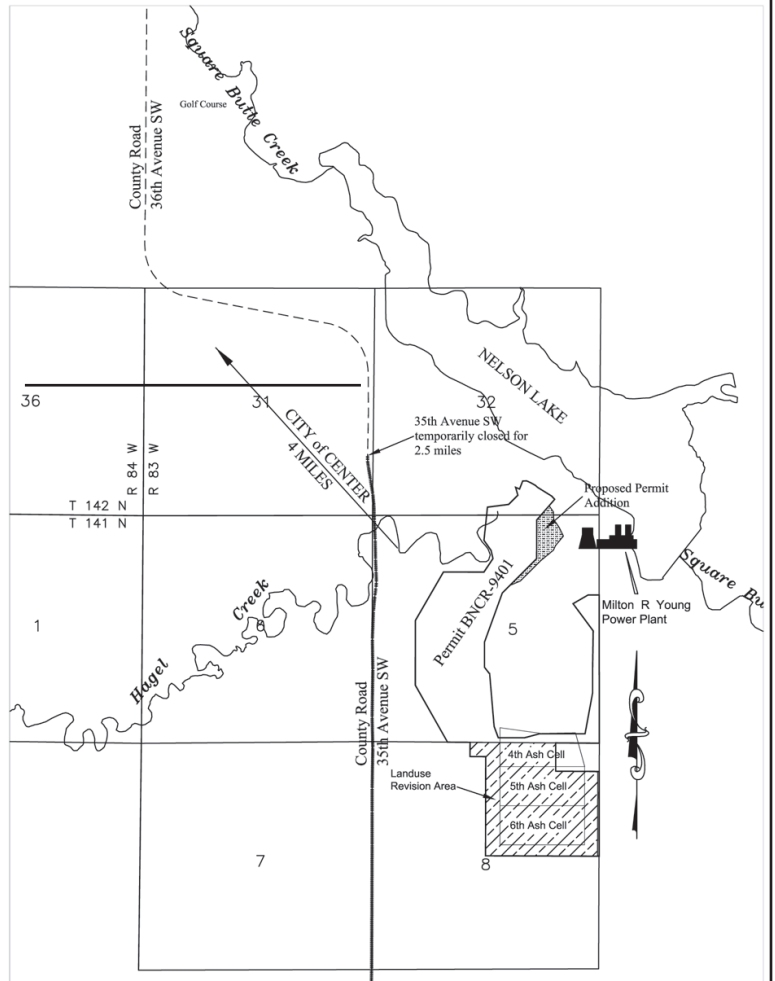
The next meeting of the Oliver County Commission will be at 8:00 A.M., Thursday,

December 6, 2018 at the Oliver County Courthouse meeting room. Judith M. Hintz, Oliver County Auditor Lee Husfloen, Chairman of the Board (12-13-18)

NOTICE OF APPLICATION FOR A PERMIT REVISION TO ADD AREA TO AN EXISTING SURFACE COAL MINING PERMIT

Please take notice that BNI Coal Ltd., 2360 35th Avenue SW, Center, ND 58530-9499 has submitted an application to the North Dakota Public Service Commission for Revision No. 15 to Permit BNCR-9401, approved on August 16, 1995, to revise surface coal mining and reclamation operations. This permit area is located in Oliver County, North Dakota. The permit revision will change the post-mine landuse from cropland and native grassland to industrial and commercial in the NE 1/4 of Section 8, within the proposed layout of Minnkota Power's Coal Combustion Waste Disposal Cells 4, 5, and 6. The permit revision will also add 12.95 acres in Section 32, T142N, R83W and Section 5, T141N, R83W. The current approved permit encompasses 368.93 in Sections 5 and 8, T141N, R83W and Section 32, T142N, R83W. The approved area, the post-mine landuse change and the addition area are shown on the accompanying map and are described below. This permit revision will update the legal and financial sections, reclamation and operational sections, environmental resource information sections, post mining land use, post mining topography and worst case bond to include the additional acreage.

Any person whose interests are or may be adversely affected by the proposed application has the right to file written comments, objections or request an informal conference with the North Dakota Public Service Commission. Written comments, objections or requests for informal conferences should be sent to the ND Public Service Commission, 600 E Boulevard Avenue, Dept. 408, Bismarck, ND 58505 within 30 days after the last date of publication of this notice. Copies of the applica-



tions are available for inspection at the Oliver County Auditor's office located in the Oliver County Courthouse, Center, North Dakota 58530 and the Director's office, Reclamation Division, North Dakota Public Service Commission, 13th Floor State Capitol Building, Bismarck,

North Dakota 58505. The legal description and names of the apparent surface and mineral (coal) owners of the land in the permit area that will be affected by the revised plans are as follows:

LEGAL DESCRIPTION	SURFACE OWNER	COAL OWNER
Section 8 T141N R83W NW 1/4	BNI Coal, LTD	Larry & Virginia Schmidt Loretta Tabor Linda Borlaug John Kautzman Donna Barnhardt Randy Titworth Ronnie Titworth Marita Bishop Lucille Gardner PEC Minerals, LP BNI Coal, Ltd. Clay Hedrick, Jr. Charles Hamilton, Jr. M. Ellen Emley Barbara Endres Richard Files Robert Files Erika Hilliard Penelope Files Carolyn Files Blackstone Minerals Walter Duncan, Inc. Kurt Files Georgianne Hedrick Mercer John Hedrick Barbara Hager Donald Hager Joyce Hager Giles James Hager Mary McGarity Alexis Bochko Dean Stucky Jean Clift Susan Koehn Julia & Donald Gregory Patsy McGehee Jack Horn Donald R. Posey
Section 8 T141N R83W NE1/4NE1/4	Minnkota Power Cooperative	USA
NW1/4NE1/4, S1/2NE1/4	Minnkota Power Cooperative	Minnkota Power Cooperative
Section 5 T141N R83W N 1/2	Minnkota Power Cooperative	Great Northern Properties
Section 32 T142N R83W SE1/4	Minnkota Power Cooperative (11-22-18)(11-29-18)(12-6-18)(12-13-18)	Minnkota Power Cooperative

NOTICE OF BLASTING SCHEDULE FOR BNI COAL LTD., CENTER.

Pursuant to Public Law 95-87 and the rules and regulations promulgated thereunder and Chapter 38-14 of the North Dakota Century Code, notice is hereby given of a blasting schedule for the area known as the Center Mine, BNI Coal Ltd., Center.

Blasting will not occur within Mining Permit BNCR 9401.
Blasting may occur within Mining Permit BNCR 1101 in the following areas:

- All Section 7 Township 141N Range 83W
- S 1/2 Section 8 Township 141N Range 83W
- All Section 18 Township 141N Range 83W
- All Section 17 Township 141N Range 83W
- S 1/2 Section 16 Township 141N Range 83W
- All Section 24 Township 141N Range 84W
- All Section 19 Township 141N Range 83W
- All Section 20 Township 141N Range 83W
- All Section 21 Township 141N Range 83W
- SE 1/4 Section 12 Township 141N Range 84W
- NE 1/4 Section 13 Township 141N Range 84W

Blasting may occur within Mining Permit BNCR 9702 in the following areas:

- E 1/2 Section 20 Township 142N Range 84W
- W 1/2 Section 21 Township 142N Range 84W
- W 1/2 Section 28 Township 142N Range 84W
- N 1/2 Section 32 Township 142N Range 84W
- W 1/2 Section 33 Township 142N Range 84W
- S 1/2 Section 29 Township 142N Range 84W

Blasting will not occur within 1 mile of the City Limits of Center.

Dates and times when explosives are to be detonated:
Blasting may be conducted daily and will occur from sunup to sundown beginning December 21, 2018 through December 21, 2019.

Access Control Methods:
Signs and/or guards will be posted at all access points to the blast site. Highwall areas will be cleared prior to blasts.

Blast Signals:
Blast Warning (1 minute prior to detonation) is an intermittent siren.
All Clear Signal is a continuous siren.

Emergency Situations:
Blasting may be conducted at times different from those announced in the blasting schedule, when rain, lightning or other atmospheric conditions, or operator or public safety requires unscheduled detonation. All afore-mentioned safety procedures will be followed prior to any emergency blast.
(12-13-18)



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