

SPECIAL MEETING MINUTES OF EDDY COUNTY COMMISSIONERS

EDDY COUNTY COURTROOM

JUNE 4, 2026 8:00 A.M.

The meeting was called to order at 8:00 A.M. by Chairperson Dave Gehrtz. Present were Commissioner James F. Allmaras, Commissioner Glenda Collier, State's Attorney Ashley Lies, Auditor Bobbie Indergaard, Special Assistant State's Attorney Patrick Waters, and Nathan Price with the New Rockford Transcript.

State's Attorney Lies read Opening Statement on Special Meetings.

State's Attorney Lies requested a motion for an Executive Session on Attorney Consultation for Reasonably Predictable Litigation Pursuant to N.D.C.C. § 44-04-19.1. A motion to approve was made by James F. Allmaras, Seconded by Dave Gehrtz. Roll call vote: James F. Allmaras yes vote, Dave Gehrtz yes vote, and Glenda Collier yes vote. Motion carries.

Executive Session was called to order at 8:08 A.M. Present were Auditor Bobbie Indergaard, Commissioner James F. Allmaras, Chairperson Dave Gehrtz, Commissioner Glenda Collier, State's Attorney Ashley Lies, and Special Assistant State's Attorney Patrick Waters. Chairperson Dave Gehrtz made a request for all phones be removed from the table. Discussion proceeded. The public was then called back into the room. The Executive Session was recorded and was closed at 9:25 A.M.

9:25 A.M. Special Meeting reopened.

Wells McGiffert discussed the PRC Development agreement on the Wind Energy Facility Permit request. Mr. Water discussed with the Commissioner regarding guidance on their responsibility when making those decisions and/or approvals. Wells McGiffert updated the commissioner that New Rockford Township signed the development agreement and Grandfield has not.

Commissioner Glenda Collier questioned the decommission approach which McGiffert stated was the state standard requirements in addition with craning down the turbines and blades which is not a standard state requirement. Financial security is also required at the state level with an additional security bond for local matters. It was confirmed the setback limits were one mile and height discussion being no higher than 650ft which is FAA requirements. Lighting on the towers was discussed to minimize them being on with having to follow FAA Standards Federally and Statewide.

Commissioner Collier questioned the process of clean up if damage happened to the towers and confirmed Flickertail would be responsible with insurance coverage.

Motion to accept the PRC Development Agreement by Commissioner James F. Allmaras. Seconded by Chairperson Dave Gehrtz. Roll call vote: James F. Allmaras yes vote, Dave Gehrtz yes vote, and Glenda Collier yes vote. Motion carries.

Wells McGiffert stated the next step for Flickertail would be to reapply for the Permit.

Discussion and/or Action on Joint Powers Agreement between Eddy County and New Rockford Township.

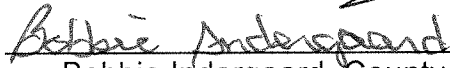
Commissioner James F. Allmaras made a motion to accept New Rockford Township's Joint Powers Agreement due to they went forward with entering the agreement and has been discussed in prior meetings. Chairperson Dave Gehrtz seconded the motion. Roll call vote: Dave Gehrtz yes vote, Glenda Collier no vote, and James F. Allmaras yes vote. Motion carries.

Discussion and/or Action on Fee for PRC/ Flickertail Wind Project Application. State's Attorney Ashley Lies advised Flickertail paid the application fee and the decision was needed whether it is to be forfeited or applied to the next permit. Commissioner James F. Allmaras made a motion to apply the money to their next permit. Chairperson Dave Gehrtz seconded the motion. All were in favor, motion carries.

Meeting adjourned at 9:42 A.M.

Approved: 
Dave Gehrtz, Commission Chair

Date: 7-7-26

Attest: 
Bobbie Indergaard, County Auditor

Date: 7/7/26