

# CENTER REPUBLICAN PUBLIC NOTICES

## NOTICE OF PUBLIC HEARING

Notice is hereby given that the Oliver County Planning and Zoning Board will hold a public hearing on Thursday, May 29th, at 7:00 p.m., in the Meeting Room of the Oliver County Courthouse, 115 W Main St, Center, North Dakota, to consider amendments to the Oliver County Planning & Zoning Ordinances. The changes are to add section(s) to the ordinances to address Battery Energy Storage Facilities and adjustments

to the Wind Turbine Facilities portion. To see any changes, you can pick up a copy in the Auditor’s Office at the Oliver County Courthouse. The public may comment by attending the meeting or in writing to the Oliver County Planning & Zoning Board, PO Box 188, Center, ND 58530.

(05-15-2025) (05-22-2025)

## YOUR RIGHT TO KNOW...

## NOTICE OF PUBLIC HEARING

Brenden Sweeny of Beulah, ND has applied for a conditional use permit to build a house within the NW ¼ of Section 11, Township 143, Range 84 of Oliver County, North Dakota. Take further notice that the Oliver County Planning & Zoning Commission pursuant to the provision of Section 17.3 of the Oliver County Zoning Ordinance will hold a public hearing on the request. The

hearing will be held at 7:00 PM on Thursday, May 29th, 2025, in the Meeting Room of the Oliver County Courthouse, in Center, North Dakota. The public may comment by attending the meeting or in writing to the Oliver County Planning & Zoning Board, PO Box 188, Center, ND 58530.

(05-15-2025) (05-22-2025)

## PETITION TO WORK WITHIN RIGHT-OF-WAY

PETITION TO WORK WITHIN RIGHT-OF-WAY of SECTION LINES and CONSTRUCTION ON COUNTY ROAD 37TH AVE SW – May 6, 2025  
This Petition is presented pursuant to N.D.C.C. Sections 38-01- 07.1 and 38-01-07.2, and the Petitioner respectfully requests that notice and hearing be held on this Petition accordingly.  
BNI Coal, Ltd., hereby petitions the Oliver County Board of County Commissioners to conduct road construction activities within 100 feet of the outside Right-of-Way line and within the Right-of-Way line of the existing county road of the following sections:  
1. 37th Ave SW (County Road), between Section 11 and Section 12, T141N R84W.  
2. 37th Ave SW (County Road), between Section 13 and Section 14, T141N R84W.  
3. 37th Ave SW (County Road), between Section 23 and Section 24, T141N R84W.  
The work within the right of way would be to construct an overpass crossing (separate agreement) for BNI Coal to access future surface mining operations of the west side of 37th Ave SW. As part of the overpass agreement BNI agrees to provide an alternative travel route during any construction

activities that would encumber traffic on 37th Ave SW. If required by the Oliver County Board of County Commissioners, BNI agrees that after completion of its surface coal mining operations in the affected areas it will restore any or all of the roads that are closed pursuant hereto to as good a condition as existed prior to the closing of the road or roads.  
BNI Coal, Ltd., hereby petitions the Oliver County Board of County Commissioners to conduct road construction activities within 100 feet of the outside Right-of-Way line and within the Right-of-Way line of the following Section Line:  
The south side of the section line between Section 10 and 15, T141N, R84W.  
The east side of the section line between Section 10 and 11, T141N, R84W.  
A hearing on the Petition will be held by the Board of Oliver County Commissioners in the Oliver County Courthouse at Center, North Dakota, on the 4th day of June 2025, at 1:00P.M., CDT, for the purpose of receiving testimony and evidence bearing upon the above request by BNI Coal, LTD. Statements may be made orally or in writing at the time of the public hearing..

## CENTER CITY COUNCIL MEETING MINUTES

May 12th, 2025  
Meeting called to order by Mayor John Lee at 7:03 p.m.  
Council members present: Troy Hatzenbihler, Eric Casson, Lisa Gusewelle, and RaShell Simenson City Auditor.  
Gusewelle moved to approve the agenda with the change of adding the discussion of 121 Oliver Ave Duplex to the Public Works Maintenance Report, seconded by Casson; all voting aye, motion carried.  
Gusewelle moved to approve previous meeting minutes seconded by Casson; all voting aye, motion carried.  
Treasurer Report  
Casson moved to approve the claims on hand, seconded by Gusewelle; all voting aye, motion carried.  
All Pest Control \$1,500, Vestis \$599.14, Security First Bank \$1514.11, CB Accounting \$4,100, Marco \$313.92, Oliver County Sheriff \$13,295.25, D&E Supply Co. \$367.11, Waste Management \$135.83, Core and Main \$1,560, DSG \$200.64, Center Machine Inc \$963.59, Master Fire and Safety \$390, NDDOH Micobiology \$56, One Call \$10.50, Empower Electric LLC \$810, Center Coal Co \$133.25, Keith Vitek \$70, Donovan & Kaffar, PLLP \$1,711.80, Robert Gibb & Sons INC \$599, Rud Oil \$105.72, Sanford Health OccMed \$190.75, Menards \$38.77, Runnings \$339.93, Wolfie’s Bar \$3,750, Moore Engineering \$13,866.25, Edling Electric INC \$717.50, Hawkins INC \$1,223.90, Center Republican \$583.10.  
Gusewelle moved to approve check register from April, seconded by Casson; all voting aye, motion carried.  
CB Accounting Cory Berry, CPA, presented a comparison of QuickBooks and the City’s current financial software, Black Mountain. He highlighted differences in functionality, cost, and usability, and provided an overview of how financial reporting could look using QuickBooks. No action was taken.  
Publics Works Maintenance Report – Reuther brought the titan machinery bid for the bush attachment back to the council.  
Gusewelle moved the motion to purchase BBV7225VG Bush Attachment from Titan Machinery in the amount of \$7,120.00 with a \$400 freight charge, seconded by Casson, all voting aye, motioned carried.  
Reuther discussed the city’s street sweepers needs extensive repairs and presented a bid from Center Machine for just parts in amount of \$4,771 not including labor.  
Gusewelle motioned to approve the bid from Center Machine in the amount of \$4,771, Seconded by Casson, 2 voting nay, 1 voting aye, motion failed  
Reuther updated the council Quality Asphalt will be in town around the middle of May to repair the patch on HWY 48. He also mentioned he will start to repair the pot holes around town.  
Gusewelle moved the motion to send a letter to the owner of 121 Oliver Ave, that is going against city ordinance of the height of the lawn, seconded by Hatzenbihler, all voting aye, motioned carried.  
Pool Manager- Shandy Kraft reported that new lifeguards will start within the week, and the pool may be closed over Memorial Day weekend depending on their readiness. Kraft also requested a consideration on a monthly emergency budget to address urgent repairs without needing prior council approval. The council will discuss with city attorney for guidance.

She also mentioned there are light sockets that are in desperate need of repair.  
Casson moved the motion to get switches the repaired, seconded by Gusewelle, 1 voting nae, 2 voting aye, motion carried.  
Personal Appearance  
Sheriff’s Department- Council Discussed there is going to be a 5th officer hiring with in the year per County.  
Personal appearance Dale Barth requesting the renewal of Nodak Sportsmen’s Club gaming permit for Lone Wolf Saloon.  
Casson moved to approve gaming site authorization for Nodak Sportsmen’s Club to conduct gaming at Lone Wolf Saloon, seconded by Gusewelle; all voting aye, motion carried.  
Personal appearance by Rod Berger and Deb Clary’s requesting approval the building of their garage on Lot 3 Block 6 of Hazel Miner addition. Gusewelle moved the motion to approve Rod Berger and Deb Clary’s building permit, seconded by Casson, all voting aye, motion carried.  
Old Business  
Auditor Simenson informed the council that the city was awarded a DWR Grant in the amount of \$48,000 for the water model, preliminary engineering report, and asset inventory. The total project cost is estimated at \$80,000, with the city’s share being \$32,000.  
Casson moved the motion to approve the post construction Moore Engineering invoice SIN001906 for \$13,866.25, seconded by Hatzenbihler, all voting aye, motion carried.  
Gusewelle moved the motion to approved agreement for cost share, seconded by Casson, all voting aye, motioned carried.  
Gusewelle moved the motion approve the Letter Agreement for Study, seconded by Casson, all voting aye, motion carried.  
Council discussed having Rural Water begin GIS mapping services at a cost of \$50, with an additional \$100 for the required subscription. Hatzenbihler moved the motion to approve the GIS Mapping agreement, seconded by Gusewelle, 1 voting nae, 2 voting aye, motion carried.  
Auditor Simenson presented an updated bid from DSG for the new water meter system, totaling \$182,732.  
Hatzenbihler moved the motion to approve the proposal from DSG for the City of Center Water Meters AMI fixed network including the Leak Detection, seconded by Casson, all voting aye, motion carried.  
Discussed personal manual is still being updated.  
Revision of Hazel Miner Ordinance- Council performed the second reading of the updated Hazel Miner Ordinance. The first change the maximum sidewalls heights of 14ft to 16ft. Second change was removal of the statement “the house conforms with the neighborhood.” Third change added a clause, “No “shouse (shop houses)”, “barndominium (barn houses), or other such dwelling with attached shops or storage areas built with a post frame method of construction will be allowed.” Casson moved to approve the second reading of the Hazel Miner ordinance 2025-02 as rewritten by planning and zoning committee, seconded by Gusewelle, all voting aye, motion approved.  
Discussed there was no update for Fire Hydrant Marking.  
Discussed the 3-month CD that the Sales Tax Revenue in the amount of

\$2,173,052.89 has matured, city is no longer gaining interest on it and the city needs to decide whether to put it in another CD or move it to a savings account. Hatzenbihler moved the motion to have the Sales Tax Revenue moved to a 7-month CD to be reviewed at the November 2025 meeting, all voting aye, motion carried.  
Auditor Simenson updated the council that there were three applications handed in for summer help, one for city and two for golf.  
New Business  
Casson moved the motion to approve the Hazel Miner Platt to obtain signatures, seconded by Gusewelle, all voting aye, motion carried.  
Gusewelle moved the motion to remove Adam Vaughn from the city bank accounts and add Lisa Gusewelle to the city bank accounts, seconded by Hatzenbihler, all voting aye, motion carried.  
Casson moved the motion to add Lisa Gusewelle to the Pool Savings account, seconded by Gusewelle, all voting aye, motion carried.  
Discussed the city received a \$5000 Ergonomical grant through WSI, with a 25% cost to the city to purchase ergonomical equipment for city employees.

Gusewelle moved the motion the City Auditor, Public Works Director, and Golf Course Superintendent purchases items under the WSI Ergonomical Grant, seconded by Hatzenbihler, all voting aye, motion carried.  
Auditor Simenson presented a list of overdue water bills associated with previous property owners. Since these individuals no longer own the properties, the outstanding amounts cannot be assessed to property taxes. After discussion, the Council agreed to table the matter.  
Portfolios  
Gusewelle asked Auditor Simenson to present a bid from New Vision, in collaboration with Warren’s Lock, for the purchase and installation of new security locks for the front doors of the Civic Center, City Shop doors, and the Golf Shop door. No decision was made at this time, and the item was tabled for further discussion.  
Gusewelle provided an update on the current status of the Golf Course. No action was taken.  
Casson- discussed a request from Sletten Excavating regarding water service to a new building. Sletten is requesting that payment for the service be deferred until the Fall. No decision was made at this time.  
Casson moved the motion to table until there is further information provided, seconded by Gusewelle, all voting aye, motion carried.  
Auditor Simenson requested to become a Note of Republic.  
Hatzenbihler moved to approve Auditor Simenson become a Note of Republic, seconded by Gusewelle, all voting aye, motion carried.  
Auditor Simenson informed the Council that the new Dental and Vision insurance plan will begin on June 1st. The cost of the plan will be covered by the full-time employees.  
Next Meeting date: 7 p.m. Monday, June 9th, 2025.  
Mayor Lee adjourned meeting at 9:16 p.m.

(05-22-2025)



(05-22-2025) (05-29-2025)

ADVERTISE IN THE  
CENTER REPUBLICAN  
748-2255