

Public notices

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NOTICE OF APPLICATION FOR CHANGE IN USE AND TO

ADD POINT(S) OF DIVERSION

TAKE NOTICE that WESTGATE ENERGY LLC, OAKES, ND, has made application to the North Dakota Department of Water Resources for a change in use and to add point(s) of diversion of Deferred Conditional Water Permit Application No. 5881.

Deferred Conditional Water Permit Application No. 5881 presently requests the annual appropriation of 480.08 acre-feet of water from ground water, utilizing point(s) of diversion located in the SE1/4 of Sec. 31, T. 130 N., R. 058 W., Sargent County, at a withdrawal rate of 1,500 gallons per minute, for the purpose of Industrial. The priority date is January 23, 2007.

The amendment application for a change in use for Deferred Conditional Water Permit Application No. 5881 requests authorization to change the use from Industrial to Irrigation.

The amendment application to add point(s) of diversion to Deferred Conditional Water Permit Application No. 5881 requests authorization to divert and appropriate water utilizing point(s) of diversion located in the NE1/4 and NW1/4 of Sec. 20 and the NE1/4 of Sec. 19, all of T. 131 N., R. 058 W., Sargent County.

TAKE NOTICE that written comments regarding the application must be filed in the Department of Water Resources 1200 Memorial Highway, Bismarck, North Dakota 58504-5262, by 5 o'clock p.m., on the 19 day of May 2025. The Department of Water Resources shall consider all written comments received and prepare a recommended decision which will be provided to the applicant and any person who filed written comments. Those persons may file additional comments with Department of Water Resources, request an adjudicative proceeding on the application, or both.

Dated at Bismarck, North Dakota, on April 3, 2025.

/s/ John Paczkowski, P.E.
State Engineer
Department of Water Resources
1200 Memorial Highway
Bismarck, ND 58504-5262
Publish April 18 & 25, 2025

RUTLAND CITY COUNCIL MONDAY, APRIL 7, 2025

The monthly City Council meeting convened at 5:20 p.m. on Monday, April 7, 2025. Mayor Mahrer, presiding. Council members Anderson, Erickson, Lysne and McLaen present. City Auditor present. Others present: James Fust, Robert Hoflen, David Young, Michael Wyum & Nate Trosen. The Pledge of Allegiance was recited.

McLaen/Lysne moved approval of the agenda. Motion carried.

Erickson/McLaen moved approval of the March 3, 2025 minutes. Motion carried.

Erickson/Lysne approved the gaming site authorization for the Rutland Sportsman's Club at the Lariat Bar & Grill for the period July 1, 2025 through June 30, 2026. Motion carried unanimously.

McLaen/Lysne moved approval of the March financials as presented. Motion carried.

Erickson/Anderson moved approval of the payment of bills: Waste Mgmt. \$109.87 & \$1713.98, DRN \$149.54, US Treasury \$720.52, Waste Mgmt. \$1,713.98 & \$108.82, Jake's Feed & Seed \$79.15, Immense Impact \$737, Interstate Engineering \$2,059.50, Jacobson Plumbing \$5,531.13, ND League of Cities \$250, OTP \$1,257.67, SE Water \$842.51. Motion carried.

Council Member Bill Anderson stated that he will be moving from the City this week so will resign his position on the City Council as of this evening.

In accordance with City Ordinance, Chapter 1, Article 3, after fifteen days of the vacancy, the council may appoint a person to fill the vacancy until the next city election at which time the unexpired term shall be filled. Council Member Anderson's term expires in June 2028; the vacancy will be on the 2026 ballot for an unexpired two-year term.

The meeting adjourned at 6:30 p.m. Minutes subject to City Council approval on May 5, 2025.

Deborah Banish, Rutland City Auditor
Publish April 25, 2025

PROCEEDINGS OF

CITY OF RUTLAND BOARD OF EQUALIZATION

The Board met at the Rutland City Hall at 5 o'clock p.m. April 7, 2025. Present: Mayor Michael Mahrer, Council Members Bill Anderson, Rodney Erickson, Delores Lysne, Lori McLaen, City Auditor Deborah Banish. County Assessor LaJuana Hayden. Rutland

residents James Fust, Robert Hoflen and David Young.

McLaen/Lysne moved approval of the Homestead and Veteran Credits as presented by the County Assessor. Motion carried unanimously.

Erickson/Anderson moved approval of the Assessment Books as presented. Motion carried unanimously.

Anderson/Lysne moved approval of the changes in valuation as presented by the County Assessor. Motion carried unanimously.

The Board of Equalization meeting adjourned at 5:20 p.m.

Deborah Banish, Rutland City Auditor
Publish April 25, 2025

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Attorney for Personal Representative
Probate No. 41-2025-PR-00003
IN THE DISTRICT COURT OF SARGENT COUNTY, STATE OF NORTH DAKOTA
IN THE MATTER OF THE ESTATE OF
DANNY M. THAYER, DECEASED

NOTICE TO CREDITORS

Notice is given that, on April 1, 2025, Scott Thayer, 1506 S Melgaard Rd., Aberdeen, SD 57401, was appointed as personal representative of the estate of Danny M. Thayer, who died on January 19, 2025. Pursuant to NDCC 30.1-19-01, creditors of decedent must file their claims within three months after the date of the first publication of this notice or their claims may be barred. Claims may be (a) filed with the personal representative, or (b) filed with the clerk and a copy of the claim mailed to the personal representative.
Date: 4.9.25

/s/Victor Rapkoch
Victor Rapkoch, ND Bar #08631
Attorney for Personal Representative
victor@rapkochlaw.com
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CLERK OF COURTS,
CindyYagow

355 Main St S Suite 2
Forman, ND 58032
Tel #701-724-6241 ext. 3
Publish April 11, 18 and 25, 2025

MILNOR PUBLIC SCHOOL DISTRICT NO 2 MINUTES OF THE REGULAR BOARD MEETING MARCH 11, 2025

The School Board of Milnor Public School, District No. 2, met for their regular monthly meeting on Tuesday March 11th, at 6:00 pm in the ITV room. After the Pledge of Allegiance, President Fyre called the meeting to order. Board members present- C Fyre, L Mund, A Bogart, S Berndt, and K Wehlander. Also, present Superintendent C Larson, Business Manager W Hogness (speaker phone) HS Principal R Weber, Elementary Principal T Wittich, K Bixby and N Foertsch. The Board unanimously approved the agenda as presented, Wehlander/Berndt. The Board unanimously approved the consent agenda (consisting of the February 19th Regular Board meeting minutes, February 19th Board retreat minutes, financial reports and present bills totaling \$32,310.56) Mund/Bogart.

Bills:
CHS DAKOTA PLAINS AG \$7,333.38
CITY OF MILNOR 527.96
COLONIAL ENTERPRISES INC 812.00
DICKEY RURAL TELEPHONE COOP. 3,768.98
HAWKINS, INC. 349.70
ANDREW HENNESSEY 400.00
INSTRUMENTALIST AWARDS LLC 168.00
JAWASKI GLASS & REPAIR, INC 720.00
METROPOLITAN MECHANICAL CONTRACTORS, INC 2,258.60
MOBRIDGE/NORDAK PUBLISHING 588.60
MONTANA-DAKOTA UTILITIES CO. 5,177.10
ND CENTER FOR DISTANCE EDUCATION 8,707.00
OTTER TAIL POWER CO. 792.49
STORBAKKEN SANITATION, INC. 645.00
TIME MANAGEMENT SYSTEMS 61.75

Superintendent's Report: (1) We received the CLIMBS grant for both High School and Elementary. (2) PT conferences went well. (3) We had a site visit from CLSD. Thanks to Mrs. Wittich for her organization and our staff who received visitors. (4) Legislative work continues. They hit crossover so the financial picture will become clearer over the next weeks. (5) I accompanied Mrs. Weber and the Sophomores to tour the Vo Tech Center and to see their options. (6) Varsity boys' and girls' basketball has wrapped up for the season. (7) Elementary boys' basketball started practicing with 13 boys out. (8) The Academic Olympics competition is on March 18th. (9) The K-12 Spring Concert is May 5th. (10) Academic and Fine Arts Awards Night is May 12th.

High School Principal Weber's Report: (1) Congratulations to Brooks Hogness on being named our February student of the month. (2) I attended the local principal's meeting in Wyndmere. Topics discussed: ESPB presentation on staff professionalism, BCI presentation, CDE class setups, work-based learning, business teachers and STEAM activities in collaboration with U of M Crookston. (3) We are having a presentation from BCI on April 17th. Their presentation will focus on social media and sextortion. (4) The Lidgerwood principal, Mrs. Larson, has talked with her business teacher, and they are going to offer Accounting I and II over ITV for Milnor Students. (5) Our Academic Olympics team will travel to Wyndmere to see

how the competition rounds work. (6) Mr. Foertsch brought in visitors last week for the students to talk to about renting and buying apartments/houses, banking and insurance.

Elementary Principal Wittich's Report: (1) Congratulations to our elementary Student of the Month, P Sexton. (2) EL testing is complete. (3) We will be training the staff on the new state testing platform and testing will start in April. (4) The CLSD onsite visit went well. (5) PT conferences went well. (6) The elementary student council hosted Cocoa with Compliments for all students and staff K-12. (7) Four members of the MTSS team were in Jamestown last week for training on our pathways and interventions. (8) Reading Month is in full swing. (9) Teachers are preparing for STEAM night on March 27th. (10) Terrence Talley will be here on March 27th to do assemblies with the elementary and high school. (11) Gateway to science will be here on March 25th to do science lessons with our 3rd-4th grade students. (12) We will be hosting the Math Olympics this spring.

New Business: Berndt moved that the Milnor School Board has investigated the petition filed by the Milnor Teacher Association (MTA) requesting that the association be recognized as the representative organization for the negotiating unit and has determined that the Education Association does represent a majority of the teachers within that unit. The Board recognizes the MTA Education Association as the representative organization for a minimum of one year beginning March 11, 2025, Mund seconded, carried.

Bogart moved to approve an overall satisfactory March Superintendent Evaluation for Dr. Larson and to include the comments, Wehlander seconded, carried.

Mund moved to approve the following NDSBA policy updated using BDA, one reading: ABAD, ACF, BA, BA-BR-1, BA-BR2, DDC, DFAA, DGAA-E, DGGG, DKA, FCAC, FGDB, HBAA, KACA, KACB, KACB-EI, KADA, Wehlander, carried.

Wehlander moved to approve Milnor School application to the Milnor Community Fund for \$50,000 for the playground surface, Berndt seconded, carried.

Committee Reports:
Facilities, Transportation, Technology: No news on the electric bus grant. Mr. Olthoff is working on the Technology Plan for 2025-26.

Negotiations, Extracurricular, Budget: Negotiations will start within 30 days.

Sports Co-op: Plan to meet mid-April. **MACC:** 3-3 basketball tournament. Planning DRN screen.

Sundale School: None.
SMMSL: None.

MCF: Next meeting will be in April.
Next board meeting will be Tuesday, April 15th at 7:00 pm.

The meeting was adjourned at 6:32 pm, Berndt/Bogart.

Business Manager, W Hogness
Milnor Public School District #2
Board President, C Fyre
Publish April 25, 2025

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Probate No. 41-2025-PR-00005
IN THE DISTRICT COURT OF SARGENT COUNTY, STATE OF NORTH DAKOTA
IN THE MATTER OF THE ESTATE OF JEROME M. BIXBY, DECEASED.

NOTICE TO CREDITORS
NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of the above estate. All persons having claims against said deceased are required to present their claims within 90 days after the date of the first publication of this notice or said claims will be forever barred. Claims must either be presented to Jennie M. Hanna, personal representative of the estate or filed with the Court.
Dated this 21st day of April, 2025.

/s/ Jennie M. Hanna
7654 141st Ave. SE
Milnor, ND 58060
First publication on 4/25/2025.
Publish April 25, May 2 & 9, 2025

SARGENT COUNTY COMMISSION

APRIL 1, 2025 FORMAN, NORTH DAKOTA

The Sargent County Board of Commissioners met on Tuesday, April 1, 2025, at 9 a.m. Commissioners in attendance were Jerry Waswick, Scott Johnson, Lyle Bopp, Jason Arth and Chairman, Wade Anderson. Also in attendance were Jayne Pfau, State's Attorney; and Tia Bopp, Auditor.

Chairman Anderson called the meeting to order.

The pledge of allegiance was recited.
Motion to approve the agenda with additions. (Johnson/Arth). Motion carried.

Motion to approve the minutes from the March 18, 2025, meeting as presented. (Bopp/Arth). Motion carried.

Discussion regarding the window on the second floor. Jerry will follow up on the status.

Overtime was briefly discussed. All overtime must be preapproved by a supervisor/ portfolio holder prior to being worked.

Motion to sign the North Dakota Insurance Reserve Fund (NDIRF) proxy voting for Lyle Bopp to the Board of Directors. (Waswick/Johson). Voting yes were Waswick, Johnson, Arth and Anderson. Bopp abstained from voting. Motion carried.

Wendy Willprecht, EMS/ 911Coordinator arrived at the meeting at 9.08 a.m.. Ms. Willprecht explained the Hazardous Mitigation Agreement and that a grant was received for the same. Motion to sign the Hazardous Mitigation Agreement with the contractor KLJ. (Bopp/Arth) Upon roll call vote, motion carried unanimously. The grant is a 75% /25% cost share. The amount of federally obligated funds is \$47,208.00 with the additional \$15,736.00 being the local share.

Discussion led to reimbursement for the Gwinner First Responders. A proposal was put together and submitted for Commission review. No action was taken on the matter, as the Commission wants to wait until budget time to make a decision.

Neil Weaving arrived at the meeting at 9:16 a.m.; Jay Anderson arrived at the meeting at 9:25 a.m.; and Wendy Willprecht left the meeting at 9:30 a.m..

Discussion was held regarding the Triton Mechanical contract agreement with Neil Weaving, Custodian. Motion to approve Triton Mechanical Service Contract. (Waswick/Arth) More information was needed to make a final decision.

LaJuana Hayen, Tax Director, arrived at the meeting at 9:31 a.m., to discuss the process her office follows in assessing property. Ms. Hayen stated the Tax Director's office is not responsible for raising taxes. LaJuana Hayen left the meeting at 9:59 a.m.

Tim Faber arrived at the meeting at 10:00 a.m.. Discussion lead into the two contractors that had submitted gravel bids. Lengthy discussion was held. A call was also made to the Secretary of State's Office for clarification.

Aaron Potts arrived at the meeting at 10:16 a.m.. Based on the information received from the Secretary of State's Office and information received today, a motion was made to accept Bear Creek's and Enderson Construction's bids for gravel. (Wawick/Arth) State's Attorney Pfau was not in agreement with the information from the SOS's office as it was not what ND statute stated. Voting yes were Bopp, Arth, Waswick and Anderson. Motion carried.

A recess was taken from 10:35 until 10:43 a.m.. Upon reconvening Travis Paeper arrived at the meeting at 10:42.

Motion to approve the ambulance bills as presented. (Johnson/Bopp) Upon roll call vote, motion carried unanimously.

Jay Anderson and Aaron Potts left the meeting at 10:44 a.m..

Road Commissioner Faber advised the Commission that the county road 12 slope project would take approximately 15,150 tons of material or 10,100 yards. Faber estimated the cost of trucking the material alone to be approximately \$53,305. This proposal would be getting material that the Water Resource District has available. Faber is still going to make contact with a couple local farmers to see if there is the possibility of getting any material from them which would be closer to the work site. Faber also advised the Commission that he had an employee resign. Commissioners Arth and Waswick are planning on meeting with the road department on Tuesday, April 8th. Faber left the meeting at 10:50 a.m..

Sheriff Paeper presented a quote for getting the basement windows in the Sheriff's Department tinted as a safety precaution. The quote was \$1,334.93 and would be paid from the courthouse security line item on the budget. Motion to proceed with the tinting of the Sheriff's Office windows. (Johnson/Waswick) Upon roll call vote, motion carried unanimously.

Roxann Johnson is still interested in being on the Health Department Board, however, she has been traveling and unable to get her application submitted. The Commission requests that she complete an application once she is able to submit for approval.

Discussion then returned to the Triton Mechanical service agreement quote. Auditor Bopp provided the amount spent with G & R Controls in 2024, and also a copy of the current service agreement that has been auto renewing. The current G & R Controls service agreement appears to go through 2026. Commissioner Waswick withdrew his previous motion to approve the Triton Mechanical service agreement.

Motion to publish the Notice of County Rights of Way once updated. (Johnson/Arth). Upon roll call vote, motion carried unanimously.

Brief discussion was held regarding the JDA.

Sheriff Paeper discussed with the Commission the burn ban in place and the enforcement for those that don't follow the ban. All controlled burns, regardless of the risk level, must be called in to the Sheriff or the appropriate Fire Chief. March 31st there were many fires, however, only two were called in to the Sheriff and two were called into the Forman Fire Chief. Sheriff Paeper left the meeting at 11:19 a.m.

There being no further business, the meeting adjourned at 11:20 a.m.

WADE ANDERSON –
CHAIRMAN
ATTEST: TIA BOPP –
COUNTY AUDITOR
Publish April 25, 2025