

# Public notices

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### PUBLIC NOTICE

Section 324. In compliance with federal law, the Sargent County Local Emergency Planning Committee (LEPC), gives notice that the Sargent County Emergency Operations Plan, which includes the Emergency and Hazardous Chemical Inventory (Tier II) Reports and Material Safety Data Sheets (MDSD's), has been received and reviewed by the Sargent County LEPC.

These documents, along with the hazardous materials response plan for Sargent County, are available for public inspection at the Sargent County Courthouse Emergency Manager's Office.

Approved May 29<sup>th</sup>, 2025 by the Sargent County LEPC.

Publish June 6, 2025

### THE REGULAR CITY COUNCIL FOR THE CITY OF GWINNER, ND MAY 5, 2025 AT THE FIRE HALL BUILDING AT 5PM.

MEMBERS PRESENT: Jaimie Gavin, Michelle Goettle, Auston Creech, Bryton Ciesynski (on phone), Kenny Wiederholt

OTHERS PRESENT: Darrel Swanson, Jessica Peterson, Travis Paeper, Dave Even, Mike Bassingthwaite, Dennis Dahl, Sam Opdahl, Ashley Hansen, Scott Johnson, Jerry Waswick, Roger Bopp, Dan Johnson, Grover Reibe, Mike Huether, Pat Olofson

Motion to approve last month's meeting minutes approved by Michelle, seconded by Kenny. All ayes, motion carried

**Law Enforcement Report:** Travis Paeper present. 35 service calls this month, 148 hours total, dog issues continue

**Interstate Engineering Report:** Mike was present. Hwy 13/32 sidewalk project will start in June. Agreement was signed for project.

**Gwinner Park Board/Pool Committee:** Payment #3 request \$4,970.16, IE Bills \$20,738.75+\$12,430 (Sam took them with her to look over them and approve them through the pool committee), Invoices paid by Park Board total around \$54,722.30, they will get the invoices to Jess, and we will add it to the pool project total (Michelle/Kenny), Pool project officially started today!

**Local Permits:** Legendary Steaks in the CC's Parking Lot-(Auston/Michelle), El Zagal Viking Patrol, Inc in Overtime Bar/Springs/Mulligans (Auston/Kenny)

**Building Permits:** Bobcat (55 Hwy 13 E) add water and sewer to east building (Auston/ Michelle), Elwood Odegard (402 3<sup>rd</sup> Ave N) new canvas carport 7x12 in backyard- no flags were placed in area (Tabled)

**Gwinner Housing Authority (GHA):** Spent \$71,549.50 of the \$100,000, there will be no one in the building by the end of May.

**Springs Golf Course:** The committee said they would like to manage the golf course instead of being an advisory committee. A management contract will then be written up between the city and the spring association.

**Mulligans at the Springs:** Contract with Mulligans was reviewed with some changes. The contract will be with the City and Mulligans only. Jeff will send it back to his attorney for the changes.

**Incentive Program:** Tabled  
**City Auditor Report:** Mayor Proclamation Arbor Day to be on 5/8 with a tree planting celebration in front of the fire hall, Cleanup & Yard Waste bid were rejected (Auston/Michelle), rehiring Isabella for the summer, NDDOT Letter, Senior meals at the community center was in discussed and Kenny and Jess will meet with Valley Senior Services. Grover wanted to know who will be present for the city at the Sargent County Equalization Meeting in Forman. He shared some talking points that he came up with.

**Fireworks:** No draft was present for reading. The first reading will be when the draft is provided to the city council.

**Second Reading:** Update chicken ordinance. (Kenny/Michelle)

**First Reading:** Update definition of terms ordinance (Auston/Kenny)

**Public Works Report:** Main water tower quote \$102,826.25 tabled, tree trimming needs to be done by residents around town, Pump main lift station went down today, towels getting stuck in the pumps again. Membranes for the water plant will be around \$100,000.

**Council Items:** Dakota View (205 3<sup>rd</sup> St NW) Dietrich asked for some changes on their tax abatement- not at this time, Banners/ snowflakes need to replace and taken down if they are broken or not working correctly, Speed limit sign needs to be adjusted back, Hwy 13 light out is out (Scott Electric) – Darrel and Dave need to take care of these items ASAP. If they need to rent something for the day, they have got the ok to do that.

**Pay the Bills:** (Auston/Michelle) IRS \$2755.31+\$2813.48, ND State Tax Commissioner \$531.65 NDPERS \$7880.54, AW Diesel \$43.72, Bobcat of Gwinner

\$167.56, Comstock Construction \$4970.16, Dacotah Paper \$108.66, DRN \$454.46, Electric Pump \$39,476.60, END OF WOODS \$1000, Full Circle \$544.02, Grotberg Electric \$397.80, Gwinner Civic Club \$4735.61, Hansen Lumber \$279.75, Hawkins \$1020.75, Leadbetter Law Office \$6030.60, MDU \$820.77, ND Dept. of Health \$77, ND One Call \$18, Rutland Oil Company \$346.25, Sanitation Products \$232.97, Sargent County \$6135.86, Mobridge/Nordak Publishing \$245.88, Teals Market \$18.64, Team Lab \$2650, Titan \$42.44, Verizon Wireless \$342.86, Waste Management \$1465.66, Bremer Bank \$16,560.03, Gwinner Businessmen's Association \$100, Gwinner Housing Authority \$21,199.75, Interstate Engineering \$16,965.20, Waste Management \$6204.50, The Spring's golf Course \$20,000, US Postal Service \$170.80

**Attorney:** Jeff Leadbetter requested to go into executive session. "Executive Session – Pursuant to 44-04-19.1 (2) & (09) NDCC – Waste Management." This item will be discussed in the executive session. The legal authority for closing this portion of the meeting is NDCC Section 44-04-19.1 (2) & (09). The topic or purpose of this executive session is for attorney consultation on Waste Management. We will now ask the members of the public who are attending the meeting to leave the room. We anticipate adjourning the executive session and reconvening the open portion of the meeting as soon as possible. The minutes will show that the executive session began at 6:52PM and was attended by City Council Members Michelle Goettle, Auston Creech, Bryton Ciesynski (on phone), Kenny Wiederholt Mayor Jaimie Gavin, Attorney Jeff Leadbetter, and City Auditor Jessica Peterson. The minutes will show that the executive session was adjourned at 7:04PM. The public has been invited to return to the meeting room, and we are now back in an open meeting.

The meeting was adjourned at 7:12pm. Next city council meeting is on June 2<sup>nd</sup> at 5pm

Equalization Meeting for Sargent County June 3<sup>rd</sup> at 9:30am

/s/ Jaimie Gavin, Mayor  
/S/ Jessica J Peterson City Auditor  
Publish June 6, 2025

### THE SPECIAL CITY COUNCIL FOR THE CITY OF GWINNER, ND MAY 19, 2025 IN THE MEETING ROOM AT 5PM.

MEMBERS PRESENT: Jaimie Gavin, Kenny Wiederholt, Michelle Goettle, Bryton Ciesynski(phone), Auston Creech(phone)

OTHER PRESENT: Mike Huether, Alex Koepke, Jerry Waswick, Jeff Leadbetter, Jessica Peterson

**Pledge of Allegiance**  
**Springs Golf Clubhouse:** Mulligans at the Springs contract was gone over and approved. Mayor Jaimie and Jessica will sign the contract with Brian when Brian comes down. (Kenny/Michelle)

**Golf Course- Spring's Management Contract/ Budget:** Jeff handed out a draft "Lease" that none of the city council has seen. This is not what the city council had in mind, looking at a management agreement instead. Spring's association is not sure if they want to manage the golf course since they were taken out of Mulligan's contract. There has been some back in forth on the spring association on how to go forward. They are going to meet again as a group to see what they want to do.

**GHA-Senior Living Center:** Discussion on incentive options as the building is going to be empty and no current leases are active. Looking at having the one-bedroom start at \$1200 and the two-bedroom to start at \$1400 with 2 months of free garage use, if they sign a twelve-month lease by the fall of 2025.

**Fireworks:** No draft complete as of now.  
**Building Permit:** Elwood Odegard- no flags out as of now. He will need to let us know when he will put the flags out.

**Waste Management:** Council wants to use the same language from the original.

The meeting was adjourned at 6:56 pm. Next city council meeting is on June 2<sup>nd</sup> at 5pm.

/s/ Jaimie Gavin, Mayor  
/S/ Jessica J Peterson City Auditor  
Publish June 6, 2025

### ORDINANCE NO. 2025-1

AN ORDINANCE AMENDING SECTION 5-302. OF THE GWINNER REVISED ORDINANCES OF 1996 RELATING TO CHICKENS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GWINNER, NORTH DAKOTA:

That Section 5-302 of the Revised Ordinances of the City of Gwinner of 1996 is hereby amended and re-enacted to read as follows:

5-302. DEFINITIONS.

A. The established definitions are for purposes of this section only. If any conflict exists with other sections of this case, the more restrictive shall apply.

1. "Brood" means group of chickens, whether from the same hatching.  
2. "Brooding" means the period in the animal's growth when supplemental heat must be provided due to the bird's inability to generate enough body heat.

3. "Chicken" means a domesticated fowl more formally known and scientifically called as gallus gallus domesticus.

4. "Coop" means a fully enclosed, non-residential structure for housing chickens.

5. "Hen" means a female chicken.

6. "Rooster" means a male chicken.

7. "Run" means a fully enclosed and covered area attached to a coop where the poultry can run unsupervised.

B. STANDARDS FOR KEEPING CHICKENS

1. No more than twelve (12) hens shall be permitted in any one lot.

2. Roosters shall not be permitted. As soon as a rooster is identified, it shall be culled from the brood.

3. The chickens, coop, and run shall

be located in the rear or side yard obscured from view of any street, trail, public park, or other right-of-way.

4. Chickens outside of the coop and run shall be supervised at all times.

5. The coop dimensions shall total less than one-hundred twenty (120) square feet.

6. Coop height as measured from the average ground elevation to the highest point on the coop shall not exceed either (8) feet.

7. The coop and run shall be located no closer than ten (10) feet from the property line and no closer than twenty (20) feet from an adjacent property dwelling.

8. The coop shall be constructed in a manner which prevents rodent infiltration.

9. The coop shall be constructed to provide a minimum of four (4) square feet per chicken.

10. The run shall be constructed to provide a minimum of ten (10) square feet per chicken.

11. Chickens shall at no time be located off the property.

12. Coops, runs, and manure storage shall be kept twenty (20) feet from streams, tributaries, ditches, storm water management facilities, drop inlets, or other storm drainage areas that would allow fecal matter to enter any city storm drainage system or stream.

13. Except for chickens properly slaughtered for consumption, dead chickens must be disposed of within 24 hours after death. Legal forms of chicken carcass disposal include burial and off-site incinerate or rendering. All slaughtering of chickens shall be conducted so as not to be visible to the public or adjacent property owners and occupants.

14. All grain and food stored for the use of the chickens shall be kept in a rodent proof container.

15. Chickens shall not be housed in a residential house or an attached or detached garage except for brooding purposes only.

16. All premises on which chickens are kept or maintained shall be kept clean from filth, garbage, and any substances which attract rodents. The coop, run, and their surroundings must be cleaned frequently enough to control odor. Manure shall not be allowed to accumulate in any way that causes an unsanitary condition or causes odors detectable on another property. Failure to comply with these conditions may result in the city removing chickens from the premises.

C. PRIVATE RESTRICTIONS AND COVENANTS ON PROPERTY

Notwithstanding the issuance of a permit by the City, private restrictions and/or covenants on the use of property shall remain enforceable and take precedence over a permit. Private restrictions include but are not limited to deed restrictions, condominium master deed restrictions, neighborhood association by laws, covenant declarations and deed restrictions. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.

OFFERED BY ALDERMAN Bryton Ciesynski and placed on its first reading this 3rd day of March, 2025.

PLACED on its second and final reading, passed and approved and adopted this 3<sup>rd</sup> day of March, 2025.

/S/Jaimie Gavin, Mayor  
ATTEST: /s/ Jessica Peterson, City Auditor  
Publish June 6, 2025

### CITY OF GWINNER ORDINANCE NO.2025-2 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GWINNER, SARGENT COUNTY, NORTH DAKOTA:

5-101.DEFINITION OF TERMS

(a) Animal: For the purpose of this Chapter, animal shall mean every living animal except a member of the human race.

(b) At Large: An animal shall be deemed to be at large when off the property of the owner and not under restraint.

(c) Neutered: Rendered permanently incapable of reproduction.

(d) Nuisance: An animal shall be considered a nuisance if it damages, soils, defiles, or defecates on private property other than the owner's or on public walks and recreation areas unless such waster is immediately removed and properly disposed of by the owner; causes unsanitary, dangerous, or offensive conditions; causes a disturbance by excessive barking or other noisemaking; or chases vehicles, or molests, attacks, or interferes with persons or other domestic animals on public property.

(e) Owner: A person having the right of property or custody of an animal or who keeps or harbors an animal or knowingly permits an animal to remain on or about any premises occupied by that person.

(f) Restraint: An animal shall be considered under restraint if it is within the real property limits of its owner or secured by a leash or lead under the control of a responsible person.

(g) Dangerous or Vicious Animal: "Dangerous or Vicious" is any animal that:

1. when unprovoked, inflicts bite(s) on any human or domestic animal either on private or public property;

2. has a documented history with the Gwinner police Department or other public agency of biting or attacking any human or domestic animal;

3. has a known propensity, tendency, or disposition to attack, to cause injury, or otherwise threaten or endanger the safety of humans or domestic animals; or

4. is not properly vaccinated.

Any person violating this section shall have committed a non-criminal violation and shall pay a fee as follows: \$50.00 for each violation.

5-106. DOG: RUNNING AT LARGE. It shall be an infraction for any person who is the owner, or who has in his possession, any dog

of either sex of any kind, to suffer or permit such dog or cat to run at large within the City Limits, and all dogs or cats running at large within the City Limits are hereby declared to be public nuisances.

Any person violating this section shall have committed a non-criminal violation and shall pay a fee as follows:

First Offense:  
\$100.00

Second Offense within one year:  
\$200.00 Third & subsequent offenses within one year:  
\$300.00

5-116. BARKING, ANNOYING DOGS, PROHIBITED. It is hereby made an infraction, for any person, owner, or keeper, to harbor or maintain at any place within the limits of the City, any dog or dogs which shall run out and bark at any person, or passing object upon or along any street, highway, or other public ground within the limits of said City, or which by its barking, howling, whining, or other disagreeable noises by it or them during the day, or which by its loud and prolonged barking, howling, whining, or other disagreeable noises by it or them, shall disturb the people in the locality where owned, kept, or maintained, and upon conviction before the Court of this City of being the owner, keeper, or person who maintains such dog or dogs above mentioned, shall be subject to the penalty as hereinafter defined.

Any person violating this section shall have committed a non-criminal violation and shall pay a fee as follows:

First Offense:  
\$100.00

Second Offense within one year:  
\$200.00 Third & subsequent offenses within one year:  
\$300.00

8-1002. PENALTY FOR VIOLATION OF CHAPTER. Any person, firm, or corporation violating any of the terms or provisions of this chapter shall upon conviction be punished by a fine not to exceed Fifteen Hundred Dollars (\$1500.00), or imprisonment not to exceed thirty (30) days, or by both such fine and imprisonment in the discretion of the court; the court to have power to suspend said sentence and to revoke the suspension thereof.

5-402. PENALTY FOR VIOLATION OF CHAPTER. Any person, finn, or corporation violating any of the terms or provisions of this chapter shall upon conviction be punished by a fine not to exceed Fifteen Hundred Dollars (\$1500.00) or imprisonment not to exceed thirty (30) days or by both fine and imprisonment in the discretion of the court; the court to have power to suspend said sentence and to revoke the suspension thereof.

20-301. PENALTY FOR VIOLATION OF CHAPTER. Any person, firm,. or corporation violating any of the terms or provisions of this chapter shall upon conviction be punished by a fine not to exceed Fifteen Hundred (\$1500.00) Dollars, or imprisonment not to exceed Thirty (30) days, or by both such fine and imprisonment in the discretion of the court; the court to have power to suspend said sentence and to revoke the suspension thereof.

14-501. PENALTY FOR VIOLATION OF CHAPTER. Any person, firm, or corporation violating any of the terms or provisions of this chapter for which no specific penalty is provided, shall upon conviction be punished by a fine not to exceed Fifteen Hundred Dollars (\$1500.00), or imprisonment not to exceed Thirty (30) days, or both such fine and imprisonment in the discretion of the court; the court to have power to suspend said sentence and to revoke the suspension thereof or make its order that the person shall correct the violation or pennit said violation to continue. The application of this penalty shall not be held to prevent enforced removal or correction of prohibited conditions.

12-401. PENALTY. Any person who shall violate any provision of this chapter shall, upon conviction thereof, be punished by a fine of not more than Fifteen Hundred Dollars (\$1500.00) or by imprisonment for not more than Thirty (30) days, or by both such fine and imprisonment at the discretion of the Court. Each and every violation of the provisions of this chapter shall constitute a separate offense.

11-601. PENALTY FOR VIOLATION OF CHAPTER. Any person firm, or corporation violating any of the terms or provisions of this chapter shall upon conviction be punished except where otherwise specifically provided herein, by a fine not to exceed Fifteen Hundred Dollars (\$1500.00), or imprisonment not to exceed thirty (30) days or by both such fine and imprisonment in the discretion of the Court, the Court to have power to suspend said sentence and to revoke the suspension thereof.

9-803. PENALTY FOR VIOLATION OF CHAPTER. Any person, firm, or corporation violating any of the terms or provisions of this chapter shall upon conviction be punished by a fine not to exceed Fifteen Hundred Dollars (\$1500.00), or imprisonment not to exceed Thirty (30) days, or by both such fine and imprisonment in the discretion of the court; the court to have power to suspend said sentence and to revoke the suspension thereof.

4-703. PENALTY FOR VIOLATION OF CHAPTER. Any person, firm, or corporation violating any of the terms or provisions of this chapter shall upon conviction be punished by a fine not to exceed Fifteen Hundred Dollars (\$1500.00), or imprisonment not to exceed thirty (30) days, or by both such fine and imprisonment in the discretion of the Court; the Court to have power to suspend said sentence and to revoke the suspension thereof.

7-101. PENALTY FOR VIOLATION OF ORDINANCES. Except where a penalty is

otherwise specifically provided in these ordinances, the penalty for any violation of these Revised Ordinances shall be as follows:

Any person, firm, or corporation violating any of the terms or provisions of the Revised Ordinances of the City of Gwinner, North Dakota of 1996, shall upon conviction be punished by a fine, or by imprisonment or both such fine and imprisonment in the discretion of the Court as found in N.D.C.C. 12.1-32-01 for a Class B misdemeanor, the Court to have power to suspend such sentence and to revoke the suspension thereof. Each day any person, firm, association, or corporation shall violate any of the provisions of the ordinance shall constitute a separate offense.

7-102. PENALTY NOT EXCLUSIVE. The imposition of a penalty or penalties as hereinbefore provided shall not prevent the City Council from revoking any licenses, franchises, or permits, or suspending the same, wherever by these ordinances such power of revocation or suspension has been reserved to the City Council.

OFFERED BY ALDERMAN Austin/ Kenny and placed on its first reading this 5<sup>th</sup> day of May, 2025.


PLACED on its second and final reading, passed and approved and adopted this 2<sup>nd</sup> day of June, 2025.

/S/Jaimie Gavin, Mayor  
ATTEST: /s/ Jessica Peterson, City Auditor

Publish June 6, 2025

# Happy Here!

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Poems about small town life

If you want to get things done  
You need some helping hands.  
No problem here,  
We volunteer,  
No matter the demands.

### Oakes Area Water Tour: Innovative Irrigation in Oakes on July 15

The North Dakota Water Education Foundation invites the public to participate in its annual water tours this summer across North Dakota. These tours offer a firsthand look at North Dakota's critical water issues and initiatives.

On Tuesday, July 15, the public is invited to join the "Innovative Irrigation in Oakes" tour beginning and ending in Oakes. Irrigation plays an important role in the success of crops near Oakes in southeastern North Dakota. Onions and potatoes, along with other commodity crops, are irrigated using a variety of different methods, including drip irrigation, drain tile, and 360 RAIN. Several irrigators in the region are testing a novel satellite sensor and advanced modeling to measure moisture in the soil profile with the goal of saving water and conserving this valuable natural resource. Animal agriculture is also significant in this area, and hog manure works in tandem with irrigation to help the crops succeed. Learn how irrigation, conveyance ditches, hogs, and innovations in technology contribute to the economy in the southeast region of the state.

Registration is \$30 per person and includes tour transportation, lunch, informational materials, and a one-year digital subscription to the North Dakota Water magazine.

For more information and to register, visit <https://ndwater.org/events> or contact the North Dakota Water Education Foundation at 701-223-8332 or [jellingson@ndwater.net](mailto:jellingson@ndwater.net).