

CASE:

CONTINUED FROM FRONT PAGE

Devitt should have filed the lawsuit against the political subdivision of Grant County rather than the commissioners as individuals. The judge also stated a 30-day time limit from the day of the commissioners’ decision had passed.

Devitt’s default judgment request was based on the appointment of Schmidt as special assistant state’s attorney Feb. 4 to handle the case, claiming technicalities with an oath of office should void Schmidt’s representation.

Reich said the issue of the oath was corrected March 4, stating he would not grant a default judgment on that basis.

In his motion to dismiss, Schmidt argued Devitt sued the wrong parties and Devitt’s challenge of the commission’s decision was not completed within the 30-day window. He also argued Devitt did not have a private right of action, meaning he did not have the authority to file a civil lawsuit.

Schmidt also argued Dillon’s appointment is valid unless overturned by a court.

“Even if Mr. Devitt was correct ... the sheriff has been a resident of Grant County now for the

required amount of time. ... We can’t go back and undo all of this stuff. It’s already happened,” Schmidt said.

“The only relief that I’ve ever requested from the board of commissioners was that they nullify his Aug. 21 appointment, ensure that he’s a resident of Grant County and then reappoint him,” Devitt said.

In January, Devitt circulated a petition requesting the governor to remove the Grant County sheriff and two county commissioners from office.

Devitt was gathering signatures to remove Dillon from office due to what Devitt believed was a violation of residency requirements. Devitt was asking for removal of commissioners Zenker and Meyer for failure to uphold their oath of office, he said.

The petition required 50 signatures, and a sponsoring five-person committee, and Devitt had 90 days to gather the signatures. While he stated he had 43 signatures in January, he recently told the newspaper he did not obtain the required 50 signatures.

Following the resignation of the former sheriff, Garrett Harding, the county commission appointed

Dillon as sheriff on Aug. 21, 2024, to fill the remainder of Harding’s term, ending in 2026. On Dec. 18, 2024, the commissioners reaffirmed Dillon’s appointment after Devitt had brought his concerns to the commission.

Dillon stated he moved into the county-owned house in Carson on Aug. 14, 2024, maintaining he is meeting residency requirements.

Devitt contends Dillon is not meeting residency requirements by keeping a home in Hettinger County.

Following the Dec. 18, 2024, commission meeting, Devitt contacted the N.D. secretary of state to confirm if Dillon had voted in the proper county.

Dillon voted in Hettinger County during the November 2024 general election, according to a letter from the secretary of state to Devitt dated Jan. 7.

Devitt claims a vacancy still exists in the sheriff’s role, because Dillon vacated his position by voting in Hettinger County.

The commissioners’ decision is valid unless it is overturned by court, Schmidt countered.

Link Memorial Scholarship applications due

A scholarship has been established through the Wilbur L. Link and Evelyn D. Link estate, available to graduating seniors who are Grant County, North Dakota residents.

The requirements are as follows:

- 1. The applicants need not be students in the Elgin/New Leipzig School District but must physically reside in Grant County, North Dakota.
- 2. Must be a 2025 graduating senior.
- 3. The scholarship applications must be received by the principal or counselor at Elgin/New Leipzig Public School by the end of school on April 15.

Applications and detailed information are available on the Elgin/New Leipzig Public School website at www.gcs.k12.nd.us or at the main office at 110 West St. North, Elgin, ND 58533.

Did You Know... Octothorp is the proper name for the #, the hashtag/pound symbol.

Elgin/New Leipzig Public School HEAD COOK POSITION Elgin/New Leipzig School District is seeking applicants for a head cook position for the 2025-26 school year to begin duties August 10, 2025. This position requires menu planning, daily food inventory, and food ordering. Experience in similar positions is preferred. If interested, please contact Gayle Beyer at 701-584-2374 to submit your application. E/NL is an equal opportunity employer.

K.C. FISH FRY April 11 5:30 - 7:30 p.m. CT Branded Bar & Grill Flasher Hand-breaded fish filets, baked potato, tossed salad & garlic toast. Fish Fry Everyone is welcome!

Grant County Commission Proceedings Regular Commission Meeting March 19, 2025 Chairman Zenker called the March 19, 2025 meeting of the Grant County Commissioners to order at 9:03 a.m. All present honored our nation by reciting the Pledge of Allegiance. Public present: Riley Dahl – GCN, Austin Dahl, Mary Pierson, Shannon Wangsvick – TCJJDA. Commissioner Marty Meyer moved to approve agenda, seconded by Commissioner Hochhalter. All present voting aye; agenda approved. Moved by Commissioner AlRoy Hochhalter and seconded by Commissioner Meyer to approve March 5, 2025 Regular Board of Commissioner meeting minutes. All present voting aye. Minutes approved. Treasurer’s report was reviewed. County Infrastructure payment was received from the State of North Dakota. Old business: New business: Meyer moved to approve bills totaling \$24,585.63. Seconded by Hochhalter. Roll call vote - Meyer-aye, Hochhalter – aye, Alton Zenker – aye. Bills approved. A&S Country Market23.65 CHS Inc5,698.88 City of Elgin31.00 Coast to Coast Solutions582.04 Farm & Home Supply ...627.89 GS Publishing LLC129.25 Hammer Lane Diesel LLC11,909.24 Jared Fischer42.00 Johnsen Trailer Sales Inc281.24 Julie Fischer129.18 Linde Gas & Equipment1,892.98 Napa Auto Parts Glen Ullin174.93 Uniform Center1,464.99 Vanguard Appraisals Inc1,000.00 Wells Fargo Vendor Financial Services598.36 Motion made by Hochhalter and seconded by Meyer to approve beer and liquor license for Hammer Down for North Shore Concessions and Lake Tschida Welcome Center, Section 13 in Township 136 North, Range 89 West, from May 1 to December 31, 2025. All in favor voting aye. Motion carried. Katrina Hummel, Deputy Recorder/Clerk of Court informed Commission of taxpayer who had not received or recorded a County Deed back in the 1970’s. Last document recorded was a tax deed to Grant County in 1974. Hummel and Auditor Meier will continue to look for documentation to prove transfer of ownership. Jason Albert, Planning & Zoning/Flood Plain Administrator confirmed the dates for Grid United to meet with the Commission and hold public hearing. He stated a final version of the haul roads would not be available until closer to construction time, but a preliminary can be discussed at the April 2 regular meeting. John Sauber, Sauber Engineering requested input on construction of Project No. BRC-1927(065) PCN 23981, Heart River Bridge. Discussion was held on changes in the width of the bridge deck, alternate detour routes, and construction plans, and the difference in estimated costs. Jon Alt, Road Superintendent discussed road conditions and equipment repairs, and plans for current years projects. Daniel Devitt asked if an emailed statement had been distributed to the Board. Chairman Zenker stated that he was reading it. Commissioner Meyer stated that due to pending litigation, nothing could be discussed during the regular meeting. Mr. Devitt left the table. Commissioner Meyer stated feedback that he had about the March 10 fire and the response from our emergency services. Deputy Dahl said he worked to set up a perimeter. Jared Fischer, Emergency Manager/911 Coordinator said he is trying to set up a Community Emergency Response Training. He also talked about the SIRM program and radio options for the road department. Sheriff Dillon informed the Board that Deputy Dahl tendered his resignation effective March 31, 2025. Being no further business, Zenker adjourned meeting at 11:55 a.m. FYI: next scheduled meetings will be April 2nd and April 16th, 2025. Grid United Transmission Line conditional use permit hearing to be held April 16th, 2025 at 11:00 am in Grant County Courthouse Courtroom. /s/Alton Zenker Alton Zenker, Chairman /s/Sara Meier Sara Meier, Auditor Published April 10, 2025

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Help Wanted: Plant Operator Looking for a self-motivated team player to fill an entry-level position at the Glen Ullin plant for all phases of year-round plant operations and product packaging. Forklift and loader experience desired or a willingness to learn. Competitive wage, full health, dental, life, short-term disability, holiday pay, vacation pay and Employee Share Ownership. This is an opportunity to grow with an expanding local company. Competitive pay DOE. Please send applications and resumes to: Abrasives, Inc., ATTN: Russ Schroeder, 4090 Hwy. 49, Glen Ullin, ND 58631 or rschroeder@abrasivesinc.com. Applications can be found on our website at www.abrasivesinc.com or call 701-348-3610. Abrasives INCORPORATED Slag and Silica Products

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Public Notice STATE OF NORTH DAKOTA IN DISTRICT COURT COUNTY OF SIOUX SOUTH CENTRAL JUDICIAL DISTRICT Name, Address, and Telephone No. of Attorney Mary Maichel Guler (ID 04393) Bergeson & Guler Law Offices, P.C. 125 Slate Drive, Suite 7, P.O. Box 2196 Bismarck, ND 58502-2196 (701) 223-1986 mguler@gbg-lawoffice.com Attorney for Personal Representative Civil No. 43-2025-PR-00002 IN THE MATTER OF THE ESTATE OF MICHAEL D. FRIED, ALSO KNOWN AS MIKE FRIED, 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 the said deceased are required to present their claims within three (3) months after the date of the first publication of this notice or said claims will be forever barred. Claims must either be presented to Michelle Fried, Personal Representative of the Estate, and her attorney, Mary Maichel Guler, at PO Box 2196, Bismarck, ND 58502-2196, or filed with the Court. Dated this 31st day of March, 2025. /s/Michelle Fried Michelle Fried, Personal Representative Published April 3-17, 2024