

LEGALS

OTTERTAIL POWER COMPANY  
ORDINANCE NO. 2025-1

An Ordinance granting to the Otter Tail Power Company, a Minnesota Company, its successors and assigns, permission to erect, construct, install and maintain within the City of Wilton an electric light and power system and transmission lines and to operate the same and to install conduits, poles, wires, pipes and other fixtures in, upon and under the streets, alleys, bridges, and public grounds of said City for the purpose of furnishing electric light, heat and power to said City and the inhabitants thereof.

BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF WILTON, North Dakota, Hereinafter called the "City"

SECTION 1  
There is hereby granted to Otter Tail Power Company, a Minnesota Company, its successors and assigns, hereinafter called the Grantee, for a period of twenty (20) years from and after the passage and approval of this Ordinance and during all of said time, subject to the conditions and requirements hereinafter set forth, permission to construct, install and maintain an electric light and power system and transmission lines and to operate and maintain the same within and through the City and to transmit electricity to and from other towns or cities for the purpose of light, power and heat and to erect, construct, install and maintain conduits, poles, wires, pipes and other necessary fixtures and attachments upon and under the streets, alleys, bridges and public grounds of said City for the purpose of furnishing and selling electricity for light, heat and power and such other purposes for which electricity may be used by the inhabitants of said City, said permission and franchise to become operative and continue under the conditions hereinafter set forth.

SECTION2  
Said Grantee shall use poles, wires, crossarms, equipment and devices to conform with the standards of construction adopted by the National Electrical Safety Code of the United States, Department of Commerce, and all apparatus connected therewith shall be located so as not to obstruct the avenues, streets, and alleys of said City or to endanger persons or property or to hinder or to obstruct the use of said avenues, streets, and alleys for public places by the inhabitants of said City, or public in general, or to interfere with any street, sidewalk, curb,

gutter or park improvements that the City may deem proper to make along the lines of said avenues, streets and public places.

SECTION 3  
All conduits, poles, wires and pipes installed by virtue of this Ordinance shall be installed in such places and in such manner as not unnecessarily to encroach upon streets, alleys, bridges, or public grounds of said City, and so as not to unnecessarily obstruct the use thereof for the ordinary purpose of travel thereon, and the erection thereof shall be subject to the reasonable supervision and direction of the City Council of the said City. Whenever practicable, all poles shall be set in alleys, and poles now in position upon or along the streets, whenever practicable, shall be removed, and the locations of all of said poles shall be designated by the Mayor under the supervision of the City Council of the said City.

All poles where set in alleys shall be set at or near the boundary line thereof, and where set in streets shall be located at such distances, as shall be directed by the city, from the property line of the abutting owner, and shall be placed so as not to interfere with the construction of placing of any waterpipes, sewers, or drains or the flow of water therefrom which have been or may be placed by authority of said City. In the event that said Grantee shall make any unnecessary obstruction of said streets, alleys, public grounds or places not designated by the City Council, the City may cause the removal of such obstructions and charge and collect from such Grantee the actual cost of such removals.

SECTION4  
During the construction, maintenance or enlargement of any part of said electric light and power system, said Grantee shall not unnecessarily impede or block travel in said streets and highways in said city, and shall leave all streets, highways, alleys, sidewalks, curbs, lanes and public places and all grounds disturbed by said construction in good condition upon the completion of said work.

The City reserves the right for itself and its agents to make and adopt, and the rights and privileges hereby granted shall at all times be and remain subject to, such reasonable regulations of a police nature as it may deem necessary for the best interests of the City but the City will not by an such regulations or by acts

of its own or agents do anything to prevent or interfere with the Grantee carrying on its business in accordance with the franchise hereby granted.

SECTION 5  
Whenever the said Grantee in erecting, constructing and maintaining said lines or poles, shall take up any of the pavements, sidewalks crossings or curbs on any of the avenues, streets and alleys or public places in said City or shall make any excavations thereon; such excavations shall be refilled and the sidewalk, crossing or curb replaced under the direction of the said City and any excavation so made shall be properly lighted at night during the construction, and in case of the failure to do so on the part of the said Grantee, then the said City may do the same at the expense of said Grantee and said Grantee agrees to pay said City for the reasonable cost or value of said work. Said Grantee shall be liable for all loss or damage caused by the negligence of Grantee, which may result to persons or property within the said City, caused by it, or its agents, servants, or employees in erecting, operating and maintaining the said electric system within said City, and shall at all times save the City harmless from any and all damages to persons or property in erecting, operating or maintaining said electric system. SECTION6

There is granted to said Grantee, its successors and assigns, during the term hereof, permission and authority to trim all trees in alleys, streets and public grounds of said City so as to remove all parts of said trees interfering with the proper erection maintenance and operation of poles, cables, wires, masts or other fixtures, or appliances installed or to be installed pursuant to authority hereby granted.

Said Grantee shall have full right and authority to assign any person, persons, firm or corporation all the rights that are given it by this Ordinance, provided that the assignee of such rights by accepting such assignmnet shall become subject to the terms and conditions of this Ordinance.

SECTION 7  
The Grantee shall use due diligence and care in furnishing electric service as herein provided but shall not be liable for any loss or damage which may arise from failure of the service, either partial or total, but this shall not be construed to exempt said Grantee from liability for negligence.

SECTION 8  
The rates to be charged by said Grantee in the said City shall be filed with the Public Service Commission of the State of North Dakota, and no increase or decrease in said rates shall be made except in accordance with the rules and regulations of the Public Service Commission.

SECTION 9  
This contract shall be subject to any present or future laws of a regulatory nature enacted by the State of North Dakota, or an any amendment or addition to such laws and further shall be subject to the rules and regulations laid down by the Public Service Commission of the State of North Dakota.

SECTION 10  
The City reserves the right during the term hereof to enact and assess a franchise fee such as it deems necessary, upon reasonable advance notice to Grantee of not less than sixty (60) days.

SECTION 11  
In the event the City should sell or transfer real property which is subject to Grantee's franchise and should it become necessary to remove conduits, poles, wires or pipes installed by virtue of this ordinance the removal shall be done at the expense of the Grantee upon the request of the City.

SECTION 12  
This Ordinance shall take effect and be in full force from and after its passage and approval by the City Council. The said Grantee shall specify its acceptance of this franchise in writing, to be filed with the City Auditor and in no event shall this Ordinance be binding on said Grantee until the filing of such acceptance.

Approved this September 17, 2025  
Patti Solberg City Auditor, City of Wilton  
LeeAnn Domonoske-Kellar Mayor, City of wilton

ACCEPTANCE  
OTTER TAIL POWER COL:v. IPANY, a :Minnesota corporation, acting through its proper officers thereunto duly authorized, does hereby accept Ordinance No. 2025-1 ofth.e City of\_Wilton, North Dakota, being an Ordinance granting a :franchise to Otter Tail Power Company, and being entitled: "AN ORDINANCE GRANTING TO THE OTTER TAIL POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, PERMISSION TO ERECT, CONSTRUCT, INSTALL,

AND MAINTAIN WITHIN THE CITY OF WILTON ,NORTH DAKOTA, AN ELECTRIC LIGHT AND POWER SYSTEM AND TRANSMISSION LINE, AND TO OPERATE THE SAME, AND TO INSTALL CONDUITS, POLES, WIRES, PIPES, AND OTHER FIXTURES IN, UPON AND UNDER THE STREETS, ALLEYS, BRIDGES, AND PUBLIC GROUNDS OF SAID CITY FOR THE PURPOSE OF FURNISHING ELECTRIC LIGHT, HEAT, AND POWER TO SAID CITY AND THE INHABITANTS THEREOF";

and all of the terms, conditions, requirements, and prnvisions of said Ordinance No. 2025-1

IN VIIT.NESS WBEREOF. Otter Tail Power Company has caused this Acceptance to be duly executed this 7th day of November, 2025

In Presence of:  
Cynthia Geray  
Ottertail Power Company  
Tim Rogelstad President  
Cary Stephenson Associate General Counsel, Ottertail Power Company  
STATEOFMINNESOTA )  
)SS  
COUNTY OF OTTER TAIL)

On this 7th day of November, 2025, before me,a Notary Public within and for said County, personally appeared Tim Rogelstad and Cary Stephenson to me personally known, who, being each by me duly sworn, did say that they are, respectively, the President, and Associate General Counsel of Otter Tail Power Company, the corporation named in the foregoing instrument, and that said instrument was signed in behalf of said corporation by authority of its Board of Directors, and said Tun Rogelstad and Cary Stephenson acknowledged said instrument to be the free act .and deed of said corporation.

Margaret Therese Gettel  
Notary Public.Minnesota  
My Commission Expires Jan. 31, 2030

The foregoing Acceptance was duly filed in the office of the City Auditor of the City of Wilton, North Dakota, this 4th day of December 2025

-Pattie Solberg  
City Auditor  
Form Review 8/17/2022  
(01-15-26)

WASHBURN SCHOOL DISTRICT #4  
WASHBURN, ND 58577  
NOVEMBER 17, 2025

A Regular Meeting for Washburn School Board was scheduled at 7:00 pm on November 17, 2025, at 7:00p.m. Members present were Rick Tweeten, Sandi Erber, Aaron Solomonson, Luke Retterath, Stacey Scheresky. Brooklyn Schaan was absent. Also attending the meeting was Superintendent, Penny Veit-Hetletved; Business Manager, Kendra Casavant, and Beau Eriksson High School Principal. Maintenance Director Ivan Emel also attended the meeting. Brandi Hinson was also present.

The meeting was called to order at 7:04pm.

Scheresky/Solomonson motioned to approve the agenda. Motion carried.

Guest Speaker Ethan Vaagene from Rainbow Energy presented.

Retterath/Holznagel motioned to approve minutes from the 10/13/2025 Regular Board Meeting and 11/5/2025 School Board Retreat. Motion Carried.

Financial Report: \$11,873.98 has been spent out of the Activities Fund. The General Fund is 19.68% spent; Student transportation is 15.99% spent. Food Service has been covering expenses; however, will soon require

a transfer from the General Fund.

Erber/Scheresky motioned to pay the bills. Motion carried. IN FAVOR OF: JP Morgan 6008.04; JP Morgan 317.94; Brenco 538.54; Advances Business Methods 1236.02; Acellus Ed Services 869.; Kendra Casavant 164.50; CREA 4800.00; Circle Sanitation 805.25; Colonial Life 320.53; Colonial Life 1966.21; AFLAC 1733.80; AFLAC Dental and Vision 3783.10, Brenco 304.22; Capital One 924.75; City of Washburn 1221.33; D&E Supply 505.86; Dacotah Paper 2079.82;Dakota Supply Group 167.86; Eckroth Music 66.95; ECOLAB 197.75; Beau Eriksson 78.00; Jenesa Feist 8000; Flash Printing 537.77; G&R Controls 996.25; General Implement 168.05; Penny Hetletved 386.40; Brandi Hinson Keith Jacobson 210.00; Tracy Jaeger 74.77; Hannah Johnson 28.00; Kelly McCleary 78.00; Krause’s Supervalu 143.57; Jeremy Lauer 57.00; Learnwell 1570.77; Linde Gas & Equipment 702.12; McLean Co. Implement 384.71; McLean Co Implement 21.99; MDU 1669.69; Menard’s 1151.82; Midwest Investigation and Security 434.00; ND Attorney General 40.00; NDDOT 81.00; NDCTE 341.87; Nordak North

Publications 587.01; North Central International 4891.52; Northwest Tire 4289.39; Ottertail Power Co 4635.33; Pearce Durick 427.50; Quill 62.04; Kathy Reich 28.00; Christina Reynolds 224.00; Jack Sannes 177.00; Lora Schell 28.00; Scott’s Hardware 47.95; South Ease Education Cooperative 4150.00; Spaces Inc. 496.00; Staples 597.38; Stein’s 422.10; Trafera 31,707.25; ULINE 2580.45; Wagon Wheel Lumber 278.28; Washburn School 108.24; West River Telephone 821.68; Wilton Public School 40.00; Spaces 37,790.83; Judy Beaudry 594.00; Julie Bentz 54.00; Heidi Boehm 288.00; Janet Derrico 306.00; Shaune Goetz 1116.00; Randy Hall 504.00; Kacy Hardt 1854.00; Bradley Rinas 144.00; Earlene Rothmann 144.00; Trevor Schreiner 180.00; Rebecca Tibke 1584.00  
Opportunity for public input; none given.

Superintendent’s Report: The Hot Lunch review follow up went well. The CTE Audit occurred on 11/5/2025. Representative Tveit brought out Ricky Boden as a motivational speaker. We hosted, and area schools also attended. Committee meetings were requested for the Facility,

Policy, Transportation, and Co-Curricular committees. The 31:8 project presented on 11/17/2025 on Human Trafficking. MAC Program for Medicaid billing earned \$4007.57. A security walk-through is scheduled for

11/19/2025. CPS met with the counselors on 10/15/2025. The fiscal audit was today. Little Lights offers on-site outpatient Occupation Therapy and will be adding Speech Therapy. Journey Mental Health also comes to Washburn School to offer outpatient mental health therapy on site. A teacher group will build the 26-27 calendar.

Principal’s reports: The elementary Christmas Concert will be held Dec 4 at 7pm. Beau Eriksson, High School Principal reported that Parent-Teacher Conferences were held on 10/22/25-10/23/2025. 47 students’ guardians were contacted directly by teacher upon request or eligibility to invite them to conferences. 36 out of 156 (23%) of all students’ parents/ guardians attended conferences. The World Classroom is offering a trip to Washington, DC. There is a meeting on November 18, 2025, for grades 7-9.

Personnel: Brittney Thornton was

hired to be a full-time substitute for the entire school. She will substitute for all positions, including custodial, kitchen, and is working toward obtaining a classroom substitute license.

Pledge of security was received by Dakota West.

An application for early graduation was reviewed. Superintendent and Principal were in support of approval of this early graduation application. Retterath/Erber motioned to approve the application. Motion carried.

Business Manager Evaluation: Business Manager evaluation was reviewed; Satisfactory in all areas. Scheresky/Solomonson motioned to approve the evaluation. Motion Carried.

Superintendent Evaluation was reviewed; Satisfactory in all areas. Solomonson/Scheresky motioned to approve the Superintendent Evaluation. Motion carried.

Next meeting: December 8th, 2025, at 7:00pm.

The meeting adjourned at 8:59 p.m.

Attest: Kendra Casavant, Business Manager Rick Tweeten, Chairman (01-15-26)