



City of Beach  
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Equal Opportunity Employer

**Mayor**  
Walter Losinski  
PO Box 907  
Beach, ND 58621

**City Council**  
Tom Marman  
PO Box 613  
Beach, ND 58621

Sarah Ross  
PO Box 35  
Beach, ND 58621

John Stonehocker  
86 5<sup>th</sup> St. SW  
Beach, ND 58621

Lynn Swanson  
PO Box 26  
Beach, ND 58621

Beverly Wolff  
PO Box 1060  
Beach, ND 58621

Andy Zachmann  
PO Box 112  
Beach, ND 58621

**City Auditor**  
Kimberly Gaugler

**Public Works Super.**  
Randy Dietz

## **City Council Meeting Agenda**

### **City Hall – 153 E. Main Street**

### **Monday, June 16, 2025, - 7 pm**

1. Call Meeting to Order, stand as able for the Pledge of Allegiance
2. Roll Call
3. Additions or Corrections to the Agenda & Approval
4. Recognize Visitors and Public Participation
5. Approval of Minutes
6. Engineer's Report
  - Written Report
  - Correspondence from ND Department of Environmental Quality regarding Change Order #2
7. Sheriff's Report
  - Written Report
8. Public Works Superintendent Report
  - Written Report
9. Auditor's Report
  - Written Report including financials
10. Committee Reports
  - Zoning Board - Recommendation on an Application for Conditional Use at 524 Central Avenue N to allow a commercial business in a Residential 1 zoning.
11. Unfinished Business
  - Second Reading of Proposed Ordinance 397 – Use of Storage Containers
12. New Business
  - Public Hearing at 7:30 p.m. on an Application for Building with a request for 9' variance at 160 3<sup>rd</sup> Avenue SE
  - Correspondence from Southwest Water Authority regarding the 2024 Annual Operating Report
  - Application for Special Event Permit submitted by Golden Valley County Fair Association
  - Correspondence from Office of the State Auditor regarding the 2022 Audit Report
13. Adjourn

**NEXT REGULAR MEETING**  
Monday, July 7<sup>th</sup>

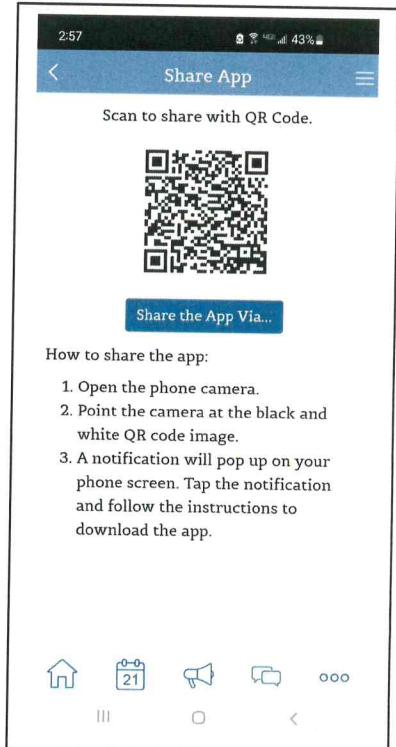
*“Governance works best when people see themselves as active participants, not outsiders to the process.” - Matt Lehrman*

Landfill summer hours: May-October - Tuesdays & Thursdays: 4-7 PM and Saturdays: 9am -2pm

Landfill winter hours: November-April - 1<sup>st</sup> & 3<sup>rd</sup> Saturdays of every month 9am-2pm

Please check [www.beachnd.com](http://www.beachnd.com) or The City app for any changes/updates to the landfill hours.

If you would like to receive an agenda packet via email only, please email us at:  
[cityofbeach@midstate.net](mailto:cityofbeach@midstate.net)



**CITY COUNCIL PROCEEDINGS**  
**PUBLISHED SUBJECT TO THE GOVERNING BODY'S REVIEW AND REVISION**

A regular meeting of the Beach City Council was called to order by President Andy Zachmann on June 2, 2025 at 7:00 p.m. Present when the meeting was called to order was City Council Tom Marman, Lynn Swanson-Puckett, Sarah Ross, John Stonehocker (via telephone), Bev Wolff, Public Works Superintendent Randy Dietz, City Auditor Kimberly Gaugler, Administrative Assistant Lea Massado, Engineers Zac Ranisate and Holden Hammerlund, and guests Gary Howard, Corlene Olson, Carl Strum, and Karl Davis.

The Pledge of Allegiance was recited.

Roll call was taken. Mayor Walter Losinski was absent.

**Public Participation**

Josh Barthel inquired on the process for purchasing lots owned by the city. Barthel was informed that a sealed bid containing legal description, price offered and proposed use should be submitted to City Hall. The sealed bid would then be opened at the next regular meeting.

**Additions or Corrections to the Agenda and Approval**

President Zachmann called for any additions or corrections to the agenda. Gaugler requested adding an Application for Special Event Permit, Correspondence from Lincoln Elementary Principal Lynn Swanson and a Request to Barricade a Street for a Community Event. Wolff moved to approve the agenda with the additional items, second by Ross. Motion carried unanimously.

**Minutes**

Minutes of the meeting on May 19, 2025 were presented. Ross moved to approve the minutes as presented, second by Wolff. Motion carried unanimously.

**Vouchers**

Vouchers were reviewed for payment. Swanson-Puckett moved to approve the vouchers presented, second by Wolff. Motion carried unanimously.

24837 ADAPCO, LLC 854.80

24838 Advanced Engineering & Environmental Services 107,165.61

24839 Baker Metal & Recycling Inc. 290.40

24840 Beach Park Board 6,423.95

24841 Beach Volunteer Fire Department 2,536.85

24842 Bobcat of Mandan 287.36

24843 BOSS Office Products 4.99

24844 City of Beach 6,460.00

24845 CNH Industrial Capital Productivity Plus 37.41

24846 Cooperative Legal Services, PLLC 2,310.00

24847 Coral Creek Landfill 2,358.65

24848 Farm and Ranch Builders LLC 2,165.00

24849 First State Bank of Golva 1,541.70

24850 Five D Industries 7,545.00

24851 G & G Garbage LLC 1,800.00

24852 Golden Valley County 9,945.46

24853 Golden Valley County Garden Club 50.00  
24854 Greyson Stedman 45.00  
24855 Jill Schatz 45.00  
24856 John Deere Financial 2.61  
24857 Mid-American Research Chemical 117.34  
24858 Montana Dakota Utilities 5,614.62  
24859 Noll Construction LLC 2,365.20  
24860 Point CPA 5,000.00  
24861 Railroad Management Company 834.01  
24862 Randall Dietz 80.24  
24863 Rob Curl 720.00  
24864 Rohan's Hardware 255.44  
24865 Sandy Baertsch 300.00  
24866 Sentinel Butte Recreation District 1,000.00  
24867 Southeast Garbage LLC 602.00  
24868 Southwest Water Authority 16,899.73  
24869 Southwestern District Health Unit 100.00  
24870 Stockwell Cleaning 175.00  
24871 Terracon Consultants, Inc. 13,300.00  
24872 Thomas Littlecreek 55.70  
24873 Verizon Wireless 255.34  
24822 City of Beach 522.85  
24823 Unum Life Insurance 69.93  
24824 Golden Valley County Airport Authority 500.00  
24825 Golden Valley Manor 500.00  
24826 USPS 227.79  
24820-24821, -87445-87439, 24827-24834, -87437-87424 May Payroll 37,057.36  
24835 City of Beach 554.65  
24836 Blue Cross Blue Shield 8,838.50  
24595 Unum Life Insurance 63.90  
-87438 First State Bank of Golva 3,600.45  
-87423 First State Bank of Golva 4,094.55  
-87422 ND PERS 5,042.26

Wolff moved to amend the City Sales Tax Infrastructure from \$210,000 to \$300,000 due to increased expenses associated with infrastructure projects, second by Ross. Motion carried unanimously.



### **Engineer's Report**

Engineer Ranisate reviewed his written report. **2<sup>nd</sup> Street Culvert Crossing** - FEMA and State confirmed that they cannot consider the ditch grading on the south side of the culverts as part of the project until the original scoped project is completed. **2025 Street and Utility Project** – last week, watermain and service connections through 4<sup>th</sup> Avenue and two blocks on 6<sup>th</sup> Avenue were installed. This coming week, watermain and service connections will be installed along 6<sup>th</sup> Avenue and then back to 5<sup>th</sup> Avenue. Knife River is scheduled to start paving on June 18<sup>th</sup>. Ranisate presented Application for Payment #2 to BEK Consulting in the amount of \$1,580,666.50. Ross moved to approve Application for Payment #2, second by Swanson-Puckett. Motion carried unanimously. **Sidewalk Replacement** – Ranisate presented a map of additional sidewalk and ADA ramps identified within the project area that would benefit from replacement. This would

potentially increase our street loan amount an estimated \$420,000. Council consensus was these improvements could be done in a future special assessment project. Marman moved to approve adding a valley gutter at the intersection of 5<sup>th</sup> Avenue and 1<sup>st</sup> Street SE, second by Ross. Motion carried unanimously. **Sanitary Sewer Half Block Replacement on 1<sup>st</sup> Street SE** – At the request of a property owner, Ranisate presented a quote from BEK Consulting in the amount of \$36,800 to replace half of a block of sanitary sewer on 1<sup>st</sup> Street SE. Property owners receiving a direct benefit from the improvement could be special assessed the cost of the improvement if agreeing to do so.

### **Public Works Report**

PWS Dietz reviewed his written report.

### **Auditor's Report**

Gaugler reviewed her written report. Swanson-Puckett moved to approve wages for Tourist Information Staff Jan Kuchera - \$17/hr and Maria Marman - \$15/hr, second by Wolff. Motion carried unanimously.

### **Unfinished Business**

Marman moved to approve the Second Reading of Ordinance 397 striking out the following: Storage containers, as defined herein, may be permitted in R-1 and R-2 zones as a temporary use, so long as the required temporary use permit is obtained. Second by Swanson-Puckett. Motion carried unanimously.

## **ORDINANCE NO. 397**

AN ORDINANCE ADDING SECTION 19.0407 OF THE CITY CODE OF THE CITY OF BEACH, NORTH DAKOTA, REGARDING USE OF STORAGE CONTAINERS WITHIN THE CITY LIMITS OF THE CITY OF BEACH, AS HEREINAFTER SET FORTH

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEACH, NORTH DAKOTA, AS FOLLOWS:

**Section 1: Section 19.0407 entitled “STORAGE CONTAINERS” is hereby added and enacted as follows:**

19.0407       STORAGE CONTAINERS – Storage Containers shall be defined as container units that are used for storage purposes, also known as shipping containers, cargo containers, cargo-trailer containers, metal freight containers, metal containers designed for freight and cargo, and the like. This definition does not include dumpsters actively used for solid waste or recycling collection, construction trailers, containers being used at an active job site, or trailers normally associated with private use such as stock car trailers, boat trailers, utility trailers, campers, or other similar equipment. Containers defined herein may be utilized as permitted uses in the following types of zones: C-1 Commercial, C-2 Highway Commercial, Industrial, as well as a Conditionally Permitted Use in PUD zones in accordance with the requirements of PUD zones. Storage containers, as defined herein, may be permitted in R-1 and R-2 zones as a temporary use, so long as the required temporary use permit is obtained. Any person violating any portion of this Section shall be subject to the

penalties described in this Chapter, including 19.0605-2.

**Section 2: Repeal of Ordinances in Conflict.** All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

**Section 3: Severability.** In the event any section of this Ordinance is held invalid by court of competent jurisdiction, the invalidity shall extend only to the section affected, and other sections of this Ordinance shall continue in full force and effect.

**Section 4: Effective Date.** This Ordinance shall be in full force and effect from and after final passage.

ATTEST:

Andy Zachmann, Council President

Kimberly Gaugler, City Auditor

First Reading: April 21, 2025

Second Reading: June 2, 2025

Final Passage:

## **ORDINANCE NO. 398**

AN ORDINANCE REVOKING CURRENT CHAPTER XVIII, DEALING WITH FLOOD PLAIN BOUNDARIES, DEFINITIONS, REGULATIONS, AND PENALTIES FOR VIOLATIONS OF THE ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEACH, NORTH DAKOTA, AS FOLLOWS:

**SECTION 1:** Chapter 18, Articles 1 through 6, inclusive. is hereby amend and re-enacted as follows:

### **18.0101. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE, AND OBJECTIVES**

#### **A. STATUTORY AUTHORIZATION**

The Legislature of the State of North Dakota has in North Dakota Century Code, Chapters 40-47, 11-33 and 58-03, delegated responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.

Therefore, the City Council of Beach, North Dakota does ordain as follows:

#### **18.0102. FINDINGS OF FACT**

- i. The flood hazard areas of the City of Beach are subject to periodic inundation which can endanger life, result in loss of property, create health and safety hazards, disrupt commerce and governmental services, cause extraordinary public expenditures for flood protection and relief, and impair the tax base, all of which adversely affect the public health, safety, and general welfare.
- ii. Flood losses caused by the cumulative effect of obstructions in the special flood hazard areas cause increases in flood heights and velocities. Inadequately flood-proofed, elevated or otherwise unprotected structures also contribute to the flood loss.

### **18.0103. STATEMENT OF PURPOSE**

It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

- i. To protect human life and health;
- ii. To minimize expenditure of public money for costly flood control projects;
- iii. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- iv. To minimize prolonged business interruptions;
- v. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges located in special flood hazard areas;
- vi. To help maintain a stable tax base by providing for the second use and development of special flood hazard areas so as to minimize future flood blight areas;
- vii. To ensure that potential buyers are notified that property is in a special flood hazard area;
- viii. To ensure that those who occupy the special flood hazard areas assume responsibility for their actions.

### **18.0104. METHODS OF REDUCING FLOOD LOSSES**

In order to accomplish its purposes, this ordinance includes methods and provisions for:

- i. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;

- ii. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- iii. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- iv. Controlling filling, grading, dredging, and other development which may increase flood damage; and,
- v. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

## **ARTICLE 2.0** **DEFINITIONS**

**18.0201.** Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

"Appeal" means a request for a review of the City Auditor's interpretation of any provision of this ordinance or a request for a variance.

"Base flood or 100-year flood" means the flood having a one percent chance of being equaled or exceeded in any given year.

"Base Flood Elevation" (BFE) means the height of the base flood or 100-year flood usually in feet, measured in the same datum (either NAVD88 or NGVD29) as the FIRM.

"Basement" means any area of the building having its floor subgrade (below ground level) on all sides.

"Best Available Information" (BAI) means water elevation information from any source used to estimate or determine a base flood elevation (i.e. high water mark).

"Community" means any political subdivision that has the authority to zone, or any Indian tribe or authorized tribal organization, which has authority to adopt and enforce flood plain management regulations for the areas within its jurisdiction.

"Conveyance or hydraulic conveyance" means a geometric characteristic of a river or watercourse at a given point that determines the flow-carrying capacity at that point.

"Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the special flood hazard area.

"Existing Manufactured Home Park or Subdivision" means a manufactured home park or

subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

"Expansion to an Existing Manufactured Home Park or Subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"Flood Insurance Rate Map" (FIRM) means the official map issued by the Federal Emergency Management Agency where special flood hazard areas are designated as Zone A, AE, AO, AH, A1-A30 or A-99.

"Flood Insurance Study" (FIS) means the official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Insurance Rate Map, and the water surface elevation of the base flood.

"Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters and/or; from the unusual and rapid accumulation or runoff of surface waters from any source.

"Floodproofing" (Dry) means protection provided a structure, together with attendant utilities and sanitary facilities, which is watertight two feet above the base flood elevation with walls that are substantially impermeable to the passage of water.

"Floodway or regulatory floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

"Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"Lowest floor" means the lowest floor of a structure including the basement.

"Manufactured home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle" but does include "mobile home".

"Manufactured Home Park or Subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"New construction" means structures for which the "start of construction" commenced on or after the effective date of this ordinance.

**“New Manufactured Home Park or Subdivision”** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

**“Person”** means any person, firm, partnership, association, corporation, limited liability company, agency, or any other private or governmental organization, which includes any agency of the United States, a state agency, or any political subdivision of the state.

**“Reasonably safe from flooding”** means base flood waters will not inundate the land or damage structures to be removed from the special flood hazard area, and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

**“Recreational vehicle”** means a vehicle which is:

1. built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. designed to be self-propelled or permanently towable by a light duty truck;
4. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel, or seasonal use; including, but not limited to;
5. travel trailers, trailers on wheels, park-model trailers, and other similar vehicles.

**“Special Flood Hazard Area” (SFHA)** means an area of land that would be inundated by a flood having a one percent chance of being equaled or exceeded in any given year.

**“Start of construction”** includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

**“Structure”** means a walled and roofed building, including manufactured homes and gas or liquid above-ground storage tanks.

**“Substantial damage”** means damage of any origin sustained by a structure whereby the cost of restoring the building to its pre-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

"Substantial improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

- 1) Before the improvement or repair is started; or
- 2) If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either:

- 1) Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or
- 2) Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

"Watercourse" means only the channel and banks of an identifiable watercourse, and not the adjoining floodplain areas. The flood carrying capacity of a watercourse refers to the flood carrying capacity of the channel, except in the case of alluvial fans, where a channel is not typically defined. The definition of watercourse in N.D.C.C. § 61-01-06 is not applicable in this ordinance.

"Variance" means a grant of relief from the requirements of this ordinance which permits construction in a manner that would otherwise be prohibited by this ordinance.

"Violation" means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required by the community's floodplain management ordinance is presumed to be in violation until such time as that documentation is provided.

## ARTICLE 3.0 GENERAL PROVISIONS

### 18.0301. LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all special flood hazard areas within the jurisdiction of the City of Beach.

### 18.0302. BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS

The special flood hazard areas identified by the Federal Emergency Management Agency in a scientific and engineering report entitled "The Flood Insurance Study for the

City of Beach, dated September 19, 2025" with an accompanying Flood Insurance Rate Map is hereby adopted by reference and declared to be a part of this ordinance. The Flood Insurance Study is on file at City Hall, Beach, North Dakota.

#### **18.0303. COMPLIANCE**

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations.

#### **18.0304. GREATER RESTRICTIONS**

This ordinance is not intended to repeal, remedy, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

#### **18.0305. INTERPRETATION**

In the interpretation and application of this ordinance, all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the governing body; and,
- (3) Deemed neither to limit nor repeal any other powers granted under state statutes.

#### **18.0306. WARNING AND DISCLAIMER OR LIABILITY**

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This ordinance does not imply that land outside the special flood hazard areas or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City of Beach, any officer or employee thereof, or the Federal Emergency Management Agency, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

#### **18.0307. SEVERABILITY**

If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of law, the remainder of this ordinance shall not be affected and shall remain in full force.

## **ARTICLE 4.0 ADMINISTRATION**

### **18.0401. ESTABLISHMENT OF DEVELOPMENT PERMIT**

A development permit shall be obtained before construction or development begins within any special flood hazard area established in Section 3.2. Application for a development permit shall be made on forms furnished by the City Auditor and may include, but not be limited to: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill storage materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

- (1) Elevation in the same datum (either NAVD88 or NGVD29) as the FIRM, of the lowest floor of all structures;
- (2) Elevation in the same datum (either NAVD88 or NGVD29) as the FIRM to which any structure has been floodproofed;
- (3) Certification by a registered professional engineer or architect that the floodproofing methods for any non-residential structure meet the floodproofing criteria in Section 5.2-2; and,
- (4) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

### **18.0402. DESIGNATION OF THE CITY AUDITOR AS ADMINISTRATOR**

The City Auditor is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

### **18.0403. DUTIES AND RESPONSIBILITIES OF THE CITY AUDITOR**

Duties of the City Auditor shall include, but not be limited to:

#### **18.0403-1. Permit Review**

- (1) Review all development permits to determine that the permit requirements of this ordinance have been satisfied.
- (2) Approve or deny all applications for development permits required by adoption of this ordinance.
- (3) Review all development permits to determine that all necessary permits have been obtained from those federal, state, or local governmental agencies from which prior approval is required.
- (4) Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of Section 5.4 are met.

### **18.0403-2. Use of Other Base Flood Data**

When base flood elevation data has not been provided in accordance with Section 3.2, BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS, the City Auditor shall obtain, review, and reasonably utilize any base flood elevation data and floodway data available (known as best available information) from any other federal, state, or other source, as criteria for requiring that new construction, substantial improvements, or other development in the floodplain are administered in accordance with Section 5.2, SPECIFIC STANDARDS.

### **18.0403-3. Information to be Obtained and Maintained**

- (1) Obtain and record the actual elevation (in the same datum (either NAVD88 or NGVD29) as the FIRM), of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
- (2) For all new or substantially improved floodproofed structures:
  - (i) obtain and record the actual elevation (in the same datum (either NAVD88 or NGVD29) as the FIRM), to which the structure has been floodproofed;
  - (ii) maintain the floodproofing certifications required in Section 4.1(3).
- (3) Maintain for public inspection all records pertaining to the provisions of this ordinance.

### **18.0403-4. Alteration of Watercourses**

The responsible person shall:

- (1) Notify nearby communities, water resource districts, and the North Dakota Department of Water Resources, as necessary, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
- (2) Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished; and,
- (3) Notify the appropriate water resource district prior to removal or placement of fill within two hundred feet of the bank of a body of water during normal flow or stage.

### **18.0403-5. Interpretation of Flood Insurance Rate Map (FIRM) Boundaries**

Make interpretation where needed, as to the exact location of the boundaries of the special flood hazard areas (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 4.4.

### **18.0403-6. Encroachment Analysis**

When a regulatory floodway has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than one foot, provided that the community first applies for and receives a Conditional Letter of Map Revision (CLOMR) through FEMA.

## **ARTICLE FIVE**

### **VARIANCE PROCEDURE**

#### **18.0501. APPEAL BOARD**

- (1) The Beach City Council as established by the City of Beach, shall hear and decide appeals and requests for variances from the requirements of this ordinance.
- (2) The Beach City Council shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the City Auditor in the enforcement or administration of this ordinance.
- (3) Those aggrieved by the decision of the Beach City Council, or any taxpayer, may appeal such decision to the District Court, as provided in N.D.C.C. §§ 40-47-11, 11-33-12, or 58-03-14.
- (4) In passing upon such applications, the Beach City Council shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance; and:
  - (i) the danger that materials may be swept onto other lands to the injury of others;
  - (ii) the danger to life and property due to flooding or erosion damage;
  - (iii) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

- (iv) the importance of the services provided by the proposed facility to the community;
- (v) the necessity to the facility of a waterfront location, where applicable;
- (vi) the availability of alternative locations, for the proposed use which are not subject to flooding or erosion damage;
- (vii) the compatibility of the proposed use with existing and anticipated development;
- (viii) the relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- (ix) the safety of access to the property in times of flood for ordinary and emergency vehicles;
- (x) the expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
- (xi) the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

(5) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre to less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (i-xi) in Section 4.4-1(4) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.

(6) Upon consideration of the factors of Section 4.4-1(4) and the purposes of this ordinance, the Beach City Council may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.

(7) The City Auditor shall maintain the records of all appeal actions the report any variances to the Federal Emergency Management Agency upon request.

## **18.0502. CONDITIONS FOR VARIANCES**

- (1) Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this section.
- (2) Variances shall not be issued within the identified floodplain if any increase in flood levels during the base flood discharge would result.
- (3) Variances shall only be issued upon a determination that the variance is the

minimum necessary, considering the flood hazard, to afford relief.

(4) Variances shall only be issued upon:

- (i) a showing of good and sufficient cause;
- (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant; and,
- (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, cause fraud on or victimization of the public as identified in Section 4.4-1(4), or conflict with existing local laws or ordinances.

(5) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

## **ARTICLE 6.0** **PROVISIONS FOR FLOOD HAZARD REDUCTION**

### **18.0601. GENERAL STANDARDS**

In all special flood hazard areas the following standards are required:

#### **18.0601-1. Anchoring**

- (1) All new construction and substantial improvements, including additions, shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- (2) All manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

#### **18.0601-2. Construction Materials and Methods**

- (1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (2) All new and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- (3) All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

### **18.0601-3. Utilities**

- (1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and,
- (3) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

### **18.0601-4. Subdivision Proposals**

- (1) All subdivision proposals shall be consistent with the need to minimize flood damage;
- (2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- (3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and,
- (4) Base flood elevation data shall be provided for subdivision proposals and other proposed development which contain at least 50 lots or 5 acres (whichever is less).

## **18.0602. SPECIFIC STANDARDS**

In all special flood hazard areas where base flood elevation data have been provided as set forth in Section 3.2 BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS or Section 4.3-2, Use of Other Base Flood Data, the following provisions are required:

### **18.0602-1. Residential Construction**

- (1) New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to at least one foot above the base flood elevation.

### **18.0602-2. Nonresidential Construction**

Construction and substantial improvement of any nonresidential structure shall either have the lowest floor, including basement, elevated to at least one foot above the base flood elevation or, together with attendant utility and sanitary facilities shall:

- (1) Be floodproofed to at least two feet above the base flood elevation, so that

below this elevation the structure is watertight with walls substantially impermeable to the passage of water.

- (2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
- (3) Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in Section 4.3-3(2).

#### **18.0602-3. Manufactured Homes**

- (1) Require all manufactured homes placed within Zone A shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist floatation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.
- (2) Require all manufactured homes placed or substantially improved within Zones A 1-30, AH, or AE on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision which has incurred substantial damage, be elevated on a permanent foundation so the lowest floor of the manufactured home is elevated one foot above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist floatation, collapse, and lateral movement.
- (3) Require that manufactured homes placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A 1-30, AH, or AE not subject to other requirements of this section be elevated so that either:
  - (i) the lowest floor of the manufactured home is one foot above the base flood elevation, or
  - (ii) the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36" in height above grade and be securely anchored to an adequately anchored foundation system to resist floatation, collapse, and lateral movement.

#### **18.0603. RECREATIONAL VEHICLES**

In A1-30, AH, and AE Zones, all recreational vehicles to be placed on a site must:

- (i) be elevated and anchored to meet the requirements in 5.2-3; OR
- (ii) be on the site for less than 180 consecutive days; AND
- (iii) be fully licensed and highway ready

#### **18.0604. SHALLOW FLOODING AO AND AH ZONES (Section 5.3 is only required if the community has Flood Zones AO and/or AH on the effective FIRM)**

Located within the areas of special flood hazard established in Section 3.2, are areas designated as shallow flooding. These areas have special flood hazards associated with base flood depths of 1 to 3 feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

- (1) All new construction and substantial improvements of **residential** structures have the lowest floor (including basement) elevated one foot above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified).
- (2) All new construction and substantial improvements of **non-residential** structures:
  - (i) have the lowest floor (including basement) elevated one foot above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified), or;
  - (ii) together with attendant utility and sanitary facilities be completely floodproofed to that level to meet the floodproofing standard as specified in Section 5.2-2.
- (3) Require within Zones AH or AO adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.

#### **18.0605. FLOODWAYS**

Located within the special flood hazard areas established in Section 3.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- (1) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge. Any increase, as is used in this section, means any modeled impact greater than 0.00 feet.
- (2) If Section 5.4 (1) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction requirements of this ordinance.

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- (3) Under the provisions of 44 CFR Section 65.12 of the NFIP Regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in BFEs, provided that the community first applies for and receives a Conditional Letter of Map Revision (CLOMR) through FEMA.

## **18.0606. ENCLOSURES**

New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

- (1) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
- (2) The bottom of all openings shall be no higher than one foot above grade.
- (3) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they allow the automatic entry and exit of floodwaters.

## **ARTICLE 7.0 VIOLATIONS**

### **18.0701. PENALTIES FOR VIOLATIONS**

- (1) Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violations on conditions and safeguards established in connection with grants or variances or conditional uses, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be punished by a fine not exceeding \$500 or by imprisonment not to exceed 30 days or by both such fine and imprisonment for each such offense, and in addition shall pay costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.
- (2) Nothing herein contained shall prevent the Beach City Council from taking such other lawful action as is necessary to prevent or remedy any violation.

**Section 2: Repeal of Ordinances in Conflict.** All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

**Section 3: Severability.** In the event any section of this Ordinance is held invalid by court of competent jurisdiction, the invalidity shall extend only to the section affected, and other sections of this Chapter shall continue in full force and effect.

**Section 4: Effective Date:** This Ordinance shall be in full force and effect from and after final passage.

ATTEST:

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Andy Zachmann, Council President

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Kimberly Gaugler, City Auditor

First Reading: June 2, 2025

Second Reading:

Final Passage:

Wolff moved to approve Resolution 2025-16, second by Swanson-Puckett. Motion carried unanimously.

**RESOLUTION NO. 2025-16**

**A RESOLUTION SETTING AUDITOR BOND LIMIT FOR THE  
CITY OF BEACH, NORTH DAKOTA**

**WHEREAS**, the City of Beach is covered by a blanket bond by the North Dakota State Bond Fund; and,

**WHEREAS**, the North Dakota State Bonding Fund provides fidelity bond coverage for city employees and public officials in dealing with public funds; and,

**WHEREAS**, the bond is fixed by the city governing body and set by resolution as outlined in NDCC §40-13-02; and,

**WHEREAS**, at the June 2, 2025 regular city council meeting of the Beach City Council the current bond limits were reviewed and found to be sufficient.

**NOW, THEREFORE**, be it resolved by the City Council of the City of Beach, North Dakota, that the Auditor Bond coverage by the State Bonding Fund in the amount of Nine Hundred Twenty-One Thousand Eight Hundred Twenty-Eight Dollars (\$921,828.00) has been reviewed and found sufficient.

ATTEST:

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Andy Zachmann, Council President

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Kimberly Gaugler, City Auditor

Correspondence was read from Sentinel Butte Recreation District and an Application for Community Enhancement Funds reviewed. Ross moved to donate \$1,000 from the Community Enhancement Fund, second by Marman. Motion carried unanimously.

An Application for Local Permit-Raffle Board submitted by Golden Valley County Fair Association was reviewed. Swanson-Puckett moved to approve, second by Ross. Motion carried unanimously.

An Application for a Special Event Permit submitted by Dobre Brewhouse was reviewed. Ross moved to approve, second by Wolff. Motion carried unanimously.

Correspondence was presented from Lincoln Elementary Principal Lynn Swanson regarding a donation provided for the 2 by 2 Character Education Program.

A request to temporarily barricade Main Street between Central Avenue and 1<sup>st</sup> Avenue SE on June 21<sup>st</sup> for a community event from 5pm-1am was read. Swanson-Puckett moved to approve the request, second by Marman. Motion carried unanimously.

No other business was brought forward. Ross moved to adjourn, second by Swanson-Puckett. Meeting adjourned at 8:10 p.m.

ATTEST:

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Andy Zachmann, Council President

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Kimberly Gaugler, City Auditor

## June 16, 2025 Council Meeting – Engineer's Report

Honorable Mayor and Council:

Engineer is planning to attend the meeting. Below is a summary of the status of current engineering projects and tasks. Please feel free to reach out if you have any specific questions.

### 1. Beach 2025 Street and Utility Project

- **Summary of Work Completed**
  - Watermain on the south side of town is complete.
  - A few more services on the south side to be completed.
- **Summary of Work Planned**
  - Asphalt and topsoil on the south side of town
    - Asphalt paving will begin on Tuesday, June 17<sup>th</sup>
  - Progress on watermain and services on Central will start week of June 23<sup>rd</sup>.
    - 6" bore under highway is completed.

### 2. Sewer Main Replacement on 1<sup>st</sup> Street SE between 5<sup>th</sup> and 6<sup>th</sup> Ave SE

- **Update**
  - City Attorney Response and Recommendation:

*“How do we assess them for the costs if they aren’t in an improvement district? Is it just a reimbursement of the City, rather than an assessment?*

*I think the City can definitely move forward with the work and paying for it, the issue is whether it can then pass on those costs without use of an improvement district.*

*Without legal authority to impose special assessments, and without the appetite to have the City cover the costs, I wouldn’t recommend moving forward. Its really not great for the 3 owners willing to move forward, but maybe they can all get together and convince the last holdout that it’s for the best of all of the properties in the long term.”*

- **Potential Options**

One of the three different scenarios need to take place to move forward:

- The fourth property owner needs to be convinced to join and take part of the cost share.
- If the fourth owner is unwilling, then the other three owners take on the fourth owner’s cost share.
- The city takes on the fourth owners cost share and asses the other three owners as planned

May 28, 2025

Kimberly Gaugler  
City Auditor  
153 Main Street  
Beach, North Dakota 58621-0278

RE: 2025 Street & Utility Improvements  
DWSRF Project No. 1700059-02  
Beach, ND

Dear Ms. Gaugler:

Change Order No. 2 to the construction contract with BEK Consulting LLC for the above referenced project has been reviewed by this department and is hereby approved. The change order increases the contract amount by \$74,663.10, to \$4,859,748. The change order was needed to relocate 15 service lines, remove a watermain connection to existing ACP watermain and remove the connection to the pump house east of first street. The entire change order is eligible for DWSRF reimbursement. The contract completion date remains unchanged.

Please retain a copy of the approved change order in the official project file. Should you have any questions, please contact me at 701-328-5250 or [mjmurray@nd.gov](mailto:mjmurray@nd.gov).

Sincerely,



David J. Bruschwein, PE  
Director  
Division of Municipal Facilities

DJB:mm:pc  
cc: Zac Ranisate, AE2S, Bismarck

**Golden Valley SO**  
**Beach Calls for Service May 2025**  
**5/1/2025-5/31/2025**

<b>Jurisdiction</b>	<b>Offense Field</b>	<b>Date</b>	<b>CFS #</b>
Beach	240 - Motor Vehicle Theft	5/4/2025	
	<b>Total CFS by Offense</b>		<b>1</b>
	240C - Motor Vehicle Theft (Used Only for Additional Information)	5/4/2025	
	<b>Total CFS by Offense</b>		<b>1</b>
	82J - Medical Assist	5/8/2025	
		5/10/2025	
		5/23/2025	
		5/23/2025	
	<b>Total CFS by Offense</b>		<b>4</b>
	82N - Investigation	5/4/2025	
	<b>Total CFS by Offense</b>		<b>1</b>
	86A - Alarm Calls	5/23/2025	
	<b>Total CFS by Offense</b>		<b>1</b>
	86D - Animal Call, Other (Warning/Return Of Animal Only)	5/29/2025	
	<b>Total CFS by Offense</b>		<b>1</b>
	86DA - Dog At Large (Warning/ Return of Animal Only)	5/5/2025	
		5/23/2025	
	<b>Total CFS by Offense</b>		<b>2</b>
	86DE - Barking Dog (Warning Only)	5/2/2025	
	<b>Total CFS by Offense</b>		<b>1</b>
	86H - Welfare Check	5/3/2025	
		5/14/2025	
		5/26/2025	
	<b>Total CFS by Offense</b>		<b>3</b>
	86KA - Lost Animal	5/23/2025	
	<b>Total CFS by Offense</b>		<b>1</b>
	86T - Citizen Assist	5/2/2025	
		5/5/2025	
		5/16/2025	
	<b>Total CFS by Offense</b>		<b>3</b>
	86ZA - Property Damage	5/16/2025	

87G - Suspicious Person/Vehicle/Activity

**Total CFS by Offense** 1

5/13/2025

87K - Motor Vehicle Accident

5/2/2025

5/21/2025

87L - Non-Criminal Traffic Violation

**Total CFS by Offense** 2

5/22/2025

87N - Assist Other Agency

**Total CFS by Offense** 1

5/4/2025

90ZBK - Burn Ban Violation

**Total CFS by Offense** 1

5/4/2025

HS-001 - Controlled Burn

**Total CFS by Offense** 1

5/21/2025

HS-002 - Fire Drill Test

**Total CFS by Offense** 1

5/21/2025

HS-003 - 911 Test

**Total CFS by Offense** 1

5/10/2025

HS-005 - Misdial

**Total CFS by Offense** 1

5/2/2025

5/16/2025

5/22/2025

HS-006 - Information

**Total CFS by Offense** 3

5/3/2025

5/7/2025

5/9/2025

5/29/2025

HS-010 - Complaint

**Total CFS by Offense** 4

5/5/2025

5/7/2025

HS-700 - Hang Up

**Total CFS by Offense** 2

5/4/2025

5/14/2025

5/27/2025

PP-010 - Civil Paper

**Total CFS by Offense** 3

5/5/2025

5/14/2025

		5/21/2025
		5/28/2025
		5/29/2025
	<b>Total CFS by Offense</b>	<b>5</b>
PP-011 - Civil Dispute		5/5/2025
	<b>Total CFS by Offense</b>	<b>1</b>
TR-039 - Speeding (Warning Only)		5/23/2025
	<b>Total CFS by Offense</b>	<b>1</b>
TR-049 - Prohibited Parking (Warning Only)		5/21/2025
	<b>Total CFS by Jurisdiction</b>	<b>49</b>
<b>Total CFS</b>		<b>49</b>

## Total Offenses by Month of Year

ND Verified Offense	05 May	Total
240 - Motor Vehicle Theft	1	<b>1</b>
240C - Motor Vehicle Theft (Used Only for Additional Information)	1	<b>1</b>
82J - Medical Assist	4	<b>4</b>
82N - Investigation	1	<b>1</b>
86A - Alarm Calls	1	<b>1</b>
86D - Animal Call, Other (Warning/Return Of Animal Only)	1	<b>1</b>
86DA - Dog At Large (Warning/ Return of Animal Only)	2	<b>2</b>
86DE - Barking Dog (Warning Only)	1	<b>1</b>
86H - Welfare Check	3	<b>3</b>
86KA - Lost Animal	1	<b>1</b>
86T - Citizen Assist	3	<b>3</b>
86ZA - Property Damage	1	<b>1</b>
87G - Suspicious Person/Vehicle/Activity	1	<b>1</b>
87K - Motor Vehicle Accident	2	<b>2</b>
87L - Non-Criminal Traffic Violation	1	<b>1</b>
87N - Assist Other Agency	1	<b>1</b>
90ZBK - Burn Ban Violation	1	<b>1</b>
HS-001 - Controlled Burn	1	<b>1</b>
HS-002 - Fire Drill Test	1	<b>1</b>
HS-003 - 911 Test	1	<b>1</b>
HS-005 - Mis dial	3	<b>3</b>

HS-006 - Information	4	<b>4</b>
HS-010 - Complaint	2	<b>2</b>
HS-700 - Hang Up	3	<b>3</b>
PP-010 - Civil Paper	5	<b>5</b>
PP-011 - Civil Dispute	1	<b>1</b>
TR-039 - Speeding (Warning Only)	1	<b>1</b>
TR-049 - Prohibited Parking (Warning Only)	1	<b>1</b>
<b>Total</b>	<b>49</b>	<b>49</b>

## May 2025 City Citations and Warnings

DATE & TIME	OFFENSE
5/21/2025 12:35:00 AM	Wrong Direction Parking - Warning
5/23/2025 7:04:00 PM	Exceeded Speed Limit - Warning

**ACTION ITEMS:**

- 

**WATER/SEWER:**

- Water Supplies: \$11,708
- Water Repair Parts: \$21,854
  - South Tower
    - Insurance Co has a list of demands for claim.
- Sewer Supplies: \$9,761
- Sewer Repair Parts: \$16,473
  - Radio Read Meters (Omni's) were not reading correctly resulting in 1000's of gallons of water not billed for. Problem appears to be corrected.
  - 2 lead service lines- 1<sup>st</sup> Ave SE were missed during last project have been completed by BEK.

**STREETS:**

- Gen Fund - Repair & Maintenance (Equipment): 17,169
- Gen Fund - Street and Alley: \$35,756
- Hwy Fund - Repair & Maintenance (Equipment): 5,818
- Hwy Fund - Street and Alley: \$9,029
- Total Sales Tax Fund Remaining Budget \$21,808
- Total Remaining Snow Removal: \$445
  - 2 of 6 totes of Emulsion used.
- 

**SHOP/EQUIPMENT/BUILDING/PROPERTY/PERSONNEL:**

- S650 Bobcat Large Hydraulic leak – Bart Working on.
  - Main Hydraulic Pump Seals out. Bart pulled the engine out. Ordered new pump from Bobcat of Dickinson Estimated Cost \$5500 for parts vs. \$15,000 to have them do the repair.
- REPAIRED - Rubber Wheeled packer Rear Wheel section axle work.
- REPAIRED - Case IH tractor – WPI to fix code.
- 

**LANDFILL/Garbage/Cardboard:**

- Supplies: -\$2,965
- Repair & Parts: \$5,618
  - G&G back to hauling containers.
-

Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
1000 GENERAL						
101000 Cash - First State Bank of	375,849.75	50,843.15	0.00	52,366.96	0.00	374,325.94
101100 Bank of the West Savings	275,909.47	345.80	0.00	0.00	0.00	276,255.27
101200 WCCU Savings	48,262.12	2.05	0.00	0.00	0.00	48,264.17
<b>Total Fund</b>	<b>700,021.34</b>	<b>51,191.00</b>		<b>52,366.96</b>		<b>698,845.38</b>
2010 HIGHWAY DISTRIBUTION FUND						
101000 Cash - First State Bank of	85,011.16	6,249.31	0.00	4,392.52	0.00	86,867.95
2030 SPECIAL ASSESSMENTS-CITY SHARE						
101000 Cash - First State Bank of	4,588.90	107.40	0.00	0.00	0.00	4,696.30
2040 SPECIAL ASSESSMENTS-DEFICIENCY						
101000 Cash - First State Bank of	25,775.37	6.84	0.00	0.00	0.00	25,782.21
2060 EMERGENCY FUND						
101000 Cash - First State Bank of	24,958.26	21.59	0.00	256.16	0.00	24,723.69
2070 TRI-CENTENNIAL FUND						
102000 Cash restricted	13,371.30	0.00	0.00	0.00	0.00	13,371.30
2090 PAVILION FUND						
101000 Cash - First State Bank of	7,142.44	0.00	0.00	1,322.49	0.00	5,819.95
2311 CITY SALES/COMMUNITY ENHANCEMENT TAX						
101000 Cash - First State Bank of	106,360.01	22,217.80	0.00	82,757.40	0.00	45,820.41
2312 POOL SALES TAX						
101000 Cash - First State Bank of	5,028.44	5,554.45	0.00	5,028.44	0.00	5,554.45
2410 CITY OCCUPANCY FUND						
101000 Cash - First State Bank of	8,135.76	66.35	0.00	742.78	0.00	7,459.33
3020 STREET IMPROVEMENT 2016-2						
101000 Cash - First State Bank of	31,095.14	544.50	0.00	0.00	0.00	31,639.64
4010 BUILDING RESERVE						
101000 Cash - First State Bank of	30,758.69	0.00	0.00	0.00	0.00	30,758.69
4020 STREET/WATER EQUIPMENT RESERVE						
101000 Cash - First State Bank of	29,505.97	0.00	0.00	0.00	0.00	29,505.97
4030 FIRE RESERVE						
101000 Cash - First State Bank of	76,783.94	0.00	0.00	0.00	0.00	76,783.94
4040 SEWER AND WATER RESERVE						
101000 Cash - First State Bank of	849.74	0.00	0.00	0.00	0.00	849.74
5010 WATER UTILITY FUND						
101000 Cash - First State Bank of	106,333.26	378,137.71	0.00	417,427.41	380.08	66,663.48
102201 Cash Restricted USDA 6th	10,367.86	0.00	0.00	0.00	0.00	10,367.86
<b>Total Fund</b>	<b>116,701.12</b>	<b>378,137.71</b>		<b>417,427.41</b>	<b>380.08</b>	<b>77,031.34</b>
5020 SEWER UTILITY FUND						
101000 Cash - First State Bank of	33,171.99	9,586.65	153.29	15,670.78	21,281.00	5,960.15
102100 Cash restricted USDA	34,891.67	0.00	21,281.00	21,281.00	0.00	34,891.67
<b>Total Fund</b>	<b>68,063.66</b>	<b>9,586.65</b>	<b>21,434.29</b>	<b>36,951.78</b>	<b>21,281.00</b>	<b>40,851.82</b>
5030 GARBAGE FUND						
101000 Cash - First State Bank of	102,331.45	16,214.51	226.79	15,066.89	0.00	103,705.86
5050 MINI MALL FUND						
101000 Cash - First State Bank of	39,493.25	370.00	0.00	17,491.79	0.00	22,371.46
5060 CONFERENCE CENTER						

Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
101000 Cash - First State Bank of 5070 WALKING & BIKE TRAIL	11,421.64	700.00	0.00	89.99	0.00	12,031.65
101000 Cash - First State Bank of	9,870.19	0.00	0.00	0.00	0.00	9,870.19
Bank Statement Total	1166618.88					
+ O/ Standing Deposits	70.00					
- O/S payroll checks	64926.28					
- O/S claim checks						
- O/S pr liabilities	2508.54					
- O/S Electronic chks	1912.44					
+ Petty Cash	0.00					
+ Investments	0.00					
+ Other Accounts	337890.74					
+ NSF Checks	0.00					
+ Other	0.00					
Adjusted Bank Cash	80890.99					
	-----					
	1354341.27					
	-----					
<b>Totals</b>	<b>1,497,267.77</b>	<b>490,968.11</b>	<b>21,661.08</b>	<b>633,894.61</b>	<b>21,661.08</b>	<b>1,354,341.27</b>
	=====					

\*\*\* Transfers In and Transfers Out columns should match, with the following exceptions:

- 1) Cancelled electronic checks increase the Transfers In column. Disbursed column will be overstated by the same amount and will not balance to the Redeemed Checks List.
- 2) Payroll Journal Vouchers including local deductions with receipt accounting will reduce the Transfers Out column by the total amount of these checks.

## Auditor's Report

### Monday, June 16<sup>th</sup>, 2025

1. Final Reimbursement Request was made to WSI for the Ergonomics Grant we received last year. Items purchase with the grant were 1 LT Plus Hot Patch Unit - \$7,545.00 for street patching and 1 Pallet Jack – for moving cardboard bales, etc. \$4,404.60. The grant covered 75% of the cost of these two items.
2. Point CPA has determined they have staff capacity to immediately start the 2023 audit. We've already begun submitting documentation they've requested for the 2023 audit.
3. Legal notice was published in the Golden Valley News on May 29<sup>th</sup> and June 5<sup>th</sup> regarding the Application for Conditional Use at 524 Central Avenue N to allow a commercial business in Residential 1 zoning. Notice will be mailed to all property owners within 150' of the area requesting the Conditional Use. The Zoning Board will hold a Public Hearing, June 16<sup>th</sup> at 8:15 am for comments or questions on the request. The Zoning Board will make a recommendation to the City Council based on information obtained at the Public Hearing.
4. Legal notice was published in the Golden Valley News on May 29<sup>th</sup> and June 5<sup>th</sup> regarding the Application for Building with Variance of 9' at 160 3<sup>rd</sup> Avenue SE. A Public Hearing is scheduled for June 16<sup>th</sup> at 7:30 pm for comments or questions on the request for variance.
5. As of June 13<sup>th</sup>, expenses for the year are \$1,493,709.85 and revenues collected are \$1,428,674.84. Twenty-one percent (21%) of the amended expense budget has been spent and sixty-six percent (66%) of the revenue budget has been collected.
6. City offices will be closed on Thursday, June 19<sup>th</sup> in observance of Juneteenth and Friday, July 4<sup>th</sup> in observance of Independence Day.
7. Staff at the Tourist Information Center started May 23<sup>rd</sup>. Hours currently are 8am-4pm. Statistics of visitors are reported to ND Tourism on a quarterly basis. Since opening on May 23<sup>rd</sup>, staff have interacted and provided travel information to 1,273 tourist. Visitors have been from the following States: Alaska, Arizona, Georgia, Idaho, Illinois, Maine, Minnesota, Mississippi, New York, North Carolina, Oregon South Carolina and Texas. International visitors have been from the following countries: Norway, Germany and Canada. There is enough funding in the Occupancy Fund to cover staffing this season. Occupancy tax received has decreased substantially over the past few years. We will need to re-evaluate what Fund pays for staffing next year, unless there is a positive change in lodging tax collections.
8. We've been completing the preliminary work for renewing the Renaissance Zone Plan for a 10 year period. Please let us know if you have suggestions of areas that should be included in our next proposed Renaissance Zone designation. Our current designation is set to expire on August 1, 2025. A map of our current zone is included.
9. We've met several times this month with the owners of Dobre' Brewhouse, in preparation of placing the final order for the brewing equipment. At this time, there is a remaining balance of \$65,550 from the USDA Rural Business Development Grant. The project must be completed by September 30, 2025.
10. We've met with a representative from Fireside Office Supply regarding the necessary computer upgrades. The quote for the four devices is \$5,310.
11. Save the Date! July 28<sup>th</sup> the Farmer's Market Supper will be hosted by City of Beach.
12. Please be sure to stay connected by checking our City social media sites for community messages.



**ORDINANCE NO. 397**

AN ORDINANCE ADDING SECTION 19.0407 OF THE CITY CODE OF THE CITY OF BEACH, NORTH DAKOTA, REGARDING USE OF STORAGE CONTAINERS WITHIN THE CITY LIMITS OF THE CITY OF BEACH, AS HEREINAFTER SET FORTH

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEACH, NORTH DAKOTA, AS FOLLOWS:

**Section 1:** Section 19.0407 entitled “STORAGE CONTAINERS” is hereby added and enacted as follows:

19.0407      STORAGE CONTAINERS – Storage Containers shall be defined as container units that are used for storage purposes, also known as shipping containers, cargo containers, cargo-trailer containers, metal freight containers, metal containers designed for freight and cargo, and the like. This definition does not include dumpsters actively used for solid waste or recycling collection, construction trailers, containers being used at an active job site, or trailers normally associated with private use such as stock car trailers, boat trailers, utility trailers, campers, or other similar equipment. Containers defined herein may be utilized as permitted uses in the following types of zones: C-1 Commercial, C-2 Highway Commercial, Industrial, as well as a Conditionally Permitted Use in PUD zones in accordance with the requirements of PUD zones. Storage containers, as defined herein, may be permitted in R-1 and R-2 zones as a temporary use, so long as the required temporary use permit is obtained. Any person violating any portion of this Section shall be subject to the penalties described in this Chapter, including 19.0605-2.

**Section 2:      Repeal of Ordinances in Conflict.** All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

**Section 3:      Severability.** In the event any section of this Ordinance is held invalid by court of competent jurisdiction, the invalidity shall extend only to the section affected, and other sections of this Ordinance shall continue in full force and effect.

**Section 4:      Effective Date.** This Ordinance shall be in full force and effect from and after final passage.

ATTEST:

Walter Losinski, Mayor

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Kimberly Gaugler, City Auditor

First Reading: April 21, 2025  
Second Reading: June 2, 2025  
Final Passage:



**Our Vision:** People and Business Succeeding with Quality Water

**Our Mission:** Quality Water for Southwest North Dakota

June 2, 2025

Dear Customers, Stakeholders, and Supporters:

It is with great enthusiasm I present to you the *2024 Annual Operating Report for Southwest Water Authority (SWA) and the Southwest Pipeline Project (SWPP)*. This year has brought continued progress, strategic investment, and impactful milestones as we work toward our mission of **Quality Water for Southwest North Dakota**.

In 2024, we advanced several high-priority initiatives that will shape the future of water service in our region. Among the most notable was the award of the 12 million gallon per day (MGD) Expansion of the Southwest Water Treatment Plant in Dickinson, a critical investment in our system's long-term reliability and capacity. Additionally, permission was granted to begin Final Design of the Hebron Rural Service Area Expansion, following the successful completion of Feasibility Criteria discussions and decisions—a key step in bringing quality water to underserved areas.

The SWPP also implemented an amendment with Basin Electric Power Cooperative to increase our allocation from the shared intake, providing additional time to coordinate on the Supplementary Raw Water Intake construction and long-term water delivery needs. Across our service area, we connected 180 subsequent customers, demonstrating the ongoing demand and need for our services.

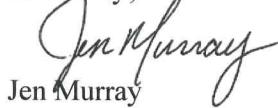
In 2024, SWA delivered over 2.4 billion gallons of Missouri River water to our customers—rural users, communities, and industries alike—across southwest North Dakota. The Missouri River remains the lifeblood of the Southwest Pipeline Project, sustaining growth, resilience, and opportunity in our region. We remain steadfast in our commitment to protecting and responsibly utilizing this vital resource to ensure long-term benefits for all North Dakotans. We are proud to support the Missouri River Joint Water Board's efforts to Educate, Advocate, and Engage for the Missouri River System in North Dakota.

The achievements of 2024 would not have been possible without strong partnerships and dedicated support from our stakeholders, partners, and consultants. The SWA Board of Directors, management, and staff are sincerely grateful. Together, we are **People and Business Succeeding with Quality Water**.

At SWA, we understand the responsibility that comes with every drop. Providing safe, reliable, high-quality water is not just our job, it's our purpose. We remain committed to meeting the evolving needs of our customers and communities today and into the future.

With your support, we continue to deliver some of the world's highest-quality, best-tasting, award-winning tap water. Thank you!

Sincerely,



Jen Murray

Manager/CEO

Southwest Water Authority

**CITY OF BEACH  
PO BOX 278  
BEACH, ND 58621-0278**

**APPLICATION FOR  
SPECIAL EVENT PERMIT TO SELL ALCOHOLIC BEVERAGES**

PERMIT FEE: Special Events \$50.00, Paid check # 3849

Name and Address of Applicant: Golden Valley County Fairboard

License Type (Circle): On/Off Sale Off Sale Number 381 <sup>500 4th St. NW</sup>

Premises the applicant presently holds a liquor license upon: Red building on Fairgrounds

Premise where special permit will be used: Beer Garden on Fairground

Event for which permit is requested: Golden Valley County Fair

Time period for which the permit is requested:

07-11-2025 (xx-xx-xx) to 07-13-2025 (xx-xx-xxxx),  
Start time: 11:00 AM/PM to 1:00 AM/PM

Circle type of alcoholic beverage that will be served:

Beer or a Malt Beverage Hard Liquor

Describe how the area will be controlled and policed: (see attached HB 1015)

Fair board members and volunteers of the Fair board

Signed by: Ray Vuk (GVC Sheriff) Date: 6/10/2025

Applicant certifies that he/she has read the preceding application and those preceding statements are true and correct.

Dated this 12 day of June, 20 25

Ray Vuk  
Applicant



June 10, 2025

Client #: 17100

Beach  
PO Box 278  
Beach, ND 58621

RE: 2022 Audit Report of Beach

The audit report shown above as submitted by Point CPA has been reviewed and approved by this office. You may now pay the public accountant fee for this report.

Effective July 1, 2024, the North Dakota State Auditor's office will no longer bill for these reviews.

If you have any questions or comments, please contact our office at (701) 328-2241 or email [ndsaao@nd.gov](mailto:ndsaao@nd.gov)

Sincerely,

A handwritten signature in black ink that reads "Lindsey Slappy".

Lindsey Slappy, CPA – Director of Quality Assurance  
North Dakota State Auditor's Office



**APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT**  
NORTH DAKOTA OFFICE OF ATTORNEY GENERAL  
GAMING DIVISION  
SFN 9338 (9-2023)

Applying for (check one)

Local Permit  Restricted Event Permit\*

Games to be conducted  Raffle by a Political or Legislative District Party

Bingo  Raffle  Raffle Board  Calendar Raffle  Sports Pool  Poker\*  Twenty-One\*  Paddlewheels\*

\*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.

**LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS**

**ORGANIZATION INFO**

Name of Organization or Group <i>Friends of the Pelican Project</i>	Dates of Activity (Does not include dates for the sales of tickets) <i>6-21-25</i>		
Organization or Group Contact Person <i>Robin Wiseman</i>	E-mail <i>robinleewiseman@outlook.com</i>	Telephone Number <i>701-226-8532</i>	
Business Address <i>3880-164th Ave. SW</i>	City <i>Sentinel Butte</i>	State <i>ND</i>	ZIP Code <i>58654</i>
Mailing Address (if different)	City	State	ZIP Code

**SITE INFO**

Site Name <i>Beach Gazebo Park</i>	County <i>Golden Valley</i>		
Site Physical Address <i>48 E. Main Street</i>	City <i>Beach</i>	State <i>ND</i>	ZIP Code <i>58621</i>
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.) <i>Raffle 6-21-25</i>			

**PRIZE / AWARD INFO (If More Prizes, Attach An Additional Sheet)**

Game Type	Description of Prize	Exact Retail Value of Prize
<i>Raffle</i>	<i>Yeti Cooler full of camping supplies</i>	<i>\$600</i>
	Total (limit \$40,000 per year)	<i>\$ 600</i>

**ADDITIONAL REQUIRED INFORMATION**

Intended Uses of Gaming Proceeds <i>Donation for Pelican Project</i>
Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded) <input type="checkbox"/> No <input type="checkbox"/> Yes - Total Retail Value: <input type="text"/> (This amount is part of the total prize limit for \$40,000 per fiscal year)
Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Printed Name of Organization Group's Permit Organizer <i>Robin Wiseman</i>	Telephone Number <i>701-226-8532</i>	E-mail Address <i>robinleewiseman@outlook.com</i>
Signature of Organization Group's Permit Organizer <i>Robin Wiseman</i>	Title <i>organizer</i>	Date <i>6-15-25</i>



P.O. Box 748 — Beach, ND 58621

*City of Beach*



Thank you for helping sponsor the Beach Fly In!! As far as I know, this is the first Fly-In at the airport since it was built 49 years ago. We had 11 airplanes with 19 people on the airplanes (involving 25 different airports and 86 stops at those airports), fed 70 people and approximately 100 people attended. We could not have done it without everyone's help.

*D. J. O'Leary*