

North Dakota 58401. Any technical questions may be directed to Jim Hubbard or Randy Pope at (701) 252-0234.

The project will consist of: A lime storage and delivery system; restoration and reconstruction of treatment basins; filters, clearwell and building; piping, valves and pumps; mechanical; electrical and all work necessary therefore and incidental thereto.

Bidders on this work will be required to comply with Title 40 CFR 35.3145(d). The requirements for bidders and contractors under this regulation concern utilization of Minority Business Enterprises (MBE), Women's Business Enterprises (WBE), and Small Business Enterprises (SBE) and are explained in the specifications.

The goal for MBE is 1% of the total dollar value of the project. The goal for WBE is 2% of the total dollar value of the project. Bidders on this work will be required to comply with the President's Executive Order No. 11246, as amended. The requirements for bidders and contractors under this order are explained in the specifications.

This project is being constructed utilizing ARRA finding and will require usage of Davis Bacon Wage Rates, a Buy America Provision and other provisions included in the Specifications. The Contractor shall comply with and provide all information to meet the reporting requirements of ARRA. Each bid will be submitted on the basis of a cash payment for work. It will be enclosed in a sealed envelope addressed to the above mentioned City Auditor, and shall be accompanied by a separate envelope containing a Bidder's Bond in the amount of five percent (5%) of the bid, executed by the Bidder as Principal and by a Surety Company authorized to do business in this State. If the City accepts the Principal's Bid and the contract awarded to him, he, within ten (10) days after the Notice of Award, will execute and effect a contract in accordance with the terms of his bid.

A Contractor's Bond as required by Chapter 48-01.2-10 of the North Dakota Century Code will be included with the executed Contract Documents. The Bid Security shall be as required in Section 48-01.2-05 of the North Dakota Century Code. All bidders must be licensed for the highest amount of their bids, as provided by Section 43-07-05 of the North Dakota Century Code and a copy of the license or certificate of renewal thereof issued shall be enclosed in the required bid bond envelope. No bid will be read or considered which does not fully comply with the above provisions as to Bond and Licenses, and any deficient bid submitted will be resealed and returned to the Bidder immediately. The OWNER retains the right to reject any or all of the bids submitted and to waive any informality in any bid and to hold all bids for a period not to exceed thirty (30) days and to hold the three low bids and bid securities for a period not to exceed sixty (60) days from the date of bid opening. The work on the improvements is to commence upon a date to be specified by the City Council, notice of which will be given to the successful bidder fifteen (15) days in advance of start of construction. All work shall be completed by July 1, 2011.

By order of the City Council
CITY OF JAMESTOWN, ND
Jeff Fuchs
City Administrator
Jamestown, North Dakota
Dated this 24th day of November, 2009.
November 28 December 5, 12, 2009

IN THE DISTRICT COURT
OF STUTSMAN COUNTY, STATE OF
NORTH DAKOTA
In the Matter of the Estate of
Emma Kercher, Deceased.
NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of the

for the personal representative of the estate, at PO Box 1397, Jamestown, ND 58402-1397 or filed with the Court.

Dated this 3rd day of December, 2009.

Robert L. Wright - Personal Representative
1114 7th Avenue SE
Jamestown, ND 58401
Timothy J. Ottmar - ID #03601
OTTMAR & OTTMAR, P.C.
226 Second Avenue SW/PO Box 1397
Jamestown, North Dakota 58402-1397
(701) 252-7229
Attorney for personal representative
First publication on the 5th day of December, 2009.
December 5, 12, 19, 2009

Public Notice:

The Pingree-Buchanan School district is accepting bids for a 47 passenger school bus. The bus must meet both Federal and North Dakota requirements, be made in America, and meet the 2007 or 2010 EPA Diesel Engine Emissions Standards. A copy of the complete specifications can be obtained by contacting the High School Office, 701-252-5563. The Pingree-Buchanan School Board reserves the right to accept or reject any or all bids. Please submit all bids to: Bill Holtan, Business Manager, Pingree-Buchanan School, 111 Lincoln Ave, Pingree, ND 58476. All bids must be submitted by December 15th.
Nov 25-Dec 7, 2009

STATE OF NORTH DAKOTA
IN DISTRICT COURT
COUNTY OF STUTSMAN
SOUTHEAST JUDICIAL DISTRICT
STATE OF NORTH DAKOTA, EX. REL.,
JENNIFER L. NOLDEN,
Plaintiffs,
-vs-
OTIS L. HEARD III,
Defendant.
Civil No. _____
SUMMONS

THE STATE OF NORTH DAKOTA TO THE ABOVE NAMED DEFENDANT: You are hereby summoned and required to appear and defend against the Complaint in this action, which is herewith served upon you, and which has been or will be filed with the Clerk of this Court, by serving upon the undersigned an Answer or other response within twenty (20) days after the service of this Summons upon you, exclusive of the date of service. If you fail to do so, Judgment by default will be taken against you for the relief demanded in the Complaint.
DATED this 4th day of November, 2009.

Cynthia G. Schaar
Special Assistant Attorney General
ID # ND 04760
P.O. Box 427
Jamestown, ND 58402-0427
(701) 253-6260
Attorney for the Child Support Enforcement Program
November 28, December 5, 12, 2009

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION
Public Service Commission
Qwest Performance Assurance
Plan
Investigation
Case No. PU-06-58
Public Service Commission
Qwest Performance Assurance
Plan
Investigation
Case No. PU-07-256
Public Service Commission
Qwest Performance Assurance
Plan
Investigation
Case No. PU-08-920

NOTICE OF OPPORTUNITY FOR COMMENT AND NOTICE OF OPPORTUNITY FOR HEARING

252-6300 • Toll Free: 1-877-646-6377
HOMER'S CALL TODAY! ASK ABOUT OUR SPECIALS.
✓SIDING ✓GUTTERS ✓WINDOWS
✓SOFFIT ✓FASCIA ✓ROOFING

On June 13, 2007, the Commission joined in a multistate collaborative audit of Qwest's PAP performance reporting and payment process for calendar year 2005, Case No. PU-07-256. The Final Report for the Audit of 2005 Qwest's Performance Assurance Plans by Liberty Consulting Group was issued November 30, 2007. The report is available for viewing and downloading from the Commission's internet site at <http://www.psc.state.nd.us/databases/docu-ments/07-0256/014-010.pdf>.

On December 17, 2008, the Commission joined in a multistate review of the effectiveness of the PAP and whether its continuation is necessary, Case No. PU-08-920. The review was a multistate effort organized by the Regional Oversight Committee. On February 11, 2009, the Commission issued a Notice of Qwest Performance Assurance Plan Review and Notice of Opportunity for Comment in Case No. PU-08-920, for comments from interested persons on trends in Qwest performance in providing interconnection, comments on the structural components of the PAP and performance measures, stakeholder recommendations and experiences with the PAP and performance measures, and comments on the competitive environment. The Notice stated that the Commission would receive written comments until March 27, 2009. On March 27, 2009, Integra Telecom of North Dakota, Inc. filed comments and petitioned to intervene. The Regional Oversight Committee contracted with Liberty Consulting Group (Liberty) to perform the review. Based on comments received from Integra Telecom of North Dakota, Inc. and other competitive local exchange carriers and data provided by Qwest, Liberty issued its June 30, 2009 Analysis of Qwest's Performance Assurance Plans Final Report. Liberty concluded that the PAP is still serving a useful purpose. The report also offers several recommendations for changes to the PAP and performance measures, and makes several findings that may have affected Qwest's reported performance results or payments under the PAP. The report is available for viewing and downloading from the Commission's internet site at: <http://www.psc.state.nd.us/databases/docu-ments/08-0920/018-020.pdf> with appendices at: <http://www.psc.state.nd.us/databases/docu-ments/08-0920/018-010.pdf>. Comments and requests for hearing must be filed by January 15, 2010. Comments should address the following:

1. Whether there exists an omission or failure of existing performance measures to capture intended performance.
 2. Where there is duplication of another performance measurement.
 3. Whether such omission, failure, or duplication of a performance measure justifies the addition, modification, or removal of a performance measure.
 4. Whether any benchmark standards should be modified or replaced by parity standards.
 5. Whether the actual volume of data points have been less or greater than anticipated, and, if so, whether there is justification for the reclassification of a performance measurement.
- Any disputes regarding adding, deleting, or modifying performance measurements will be resolved by the Commission. A copy of Qwest's performance measures and the PAP may be ob-

On March 7, 2007, the Commission authorized MHAND to subcontract 211 operations within North Dakota. MHAND has been subcontracting with FirstLink for the provision of 211 operations in Cass County. In its October 30, 2009 letter, MHAND notified the Commission that, due to lack of economic support, it must relinquish its designation as the 211 dialing code user. On November 2, 2009, the Commission received a letter stating that effective October 30, 2009, FirstLink will temporarily provide 211 operations for North Dakota until a decision is made about 211's future.

On November 23, 2009, FirstLink filed a letter requesting designation as the 211 dialing code user for North Dakota.

The issues to be considered are:
1. Is any other entity interested in designation as the user of the 211 dial code in North Dakota?
2. Is the FirstLink's intended use of the 211 dial code in North Dakota consistent with the FCC intended use of that code?

Those interested are invited to comment in writing. Persons desiring a hearing must file a written request identifying their interest in the proceeding and the reasons for requesting a hearing. Comments and requests for hearing must be received by January 8, 2010. If deemed appropriate, the Commission can determine the matter without a hearing.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials please notify the Commission.
PUBLIC SERVICE COMMISSION
Tony Clark, Commissioner
Kevin Cramer, Chairman
Brian P. Kalk, Commissioner
December 5, 2009

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION
Qwest Corporation
Request to Withdraw SGAT
Available Terms/Conditions
Application

Case No. PU-07-314
NOTICE OF OPPORTUNITY FOR HEARING
November 25, 2009

On June 14, 2007, Qwest Corporation (Qwest) filed an application to withdraw its Statement of Generally Available Terms and Conditions (SGAT). The SGAT is a statement of the terms and conditions under which Qwest provides access and interconnection to its network facilities for the network facilities of unaffiliated, competing providers of telephone exchange services. Qwest states that the SGAT was last updated on May 30, 2002 and, due to changes in applicable law since then, the SGAT is outdated. Qwest states that it will continue to



Thought for the Week
with Pastor Richard Reynolds

There is a big difference between the Christmas season, and the Christmas spirit. The season is based on external calculations. The spirit is based on internal conditions. The season is calendar; the spirit is heart. The Christmas season passes; the Christmas spirit should remain. The true spirit of Christmas is best exemplified by Mary and Joseph, the earthly parents of the baby Jesus. God asked both of them - individually and separately - if they would be the earthly parents of His Son who was to be the Savior of the world. This was an awesome life-changing, plan-changing request to make of this young man and woman. Mary's response to God was, "I am the Lord's servant, and I am willing to accept whatever He wants" (Luke 1:38 NLT). Joseph "did what the angel of the Lord had commanded him and took Mary home as his wife. But he had no union with her until she gave birth to a son. And he gave him the name Jesus" (Matt. 1:24-25 NIV). Their willingness to do God's will and their obedience to Him made the first Christmas possible. Now that should be the ongoing spirit of Christmas for all of us!

First Church of the Nazarene
"Our church can be your home."
1307 6th Ave. Southeast
Jamestown • 252-1367

Persons desiring a hearing must file a written request identifying their interest in the proceeding and the reasons for requesting a hearing. Requests for hearing must be received by January 15, 2010. If deemed appropriate, the Commission can determine the matter without a hearing. For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials please notify the Commission.
PUBLIC SERVICE COMMISSION
Tony Clark, Commissioner

**JAMESTOWN CITY COUNCIL
REGULAR MEETING
DEC. 7, 2009
COUNCIL ROOM
102 3rd Avenue SE, J**

1. ROLL CALL:
2. APPROVAL OF MINUTES:
A. Minutes of the regular council meeting
B. Minutes of the special council meeting
C. Minutes of the committee meeting, N
3. BIDS:
4. CONSENT AGENDA ITEMS:
To provide more time to discuss contro will consider the items on the consent a public meeting. If a member of the City on one of these items, the Council w agenda and consider that item individual
A. Resolution to approve the recommen Sewer Utility from Economic Develp partial payment of the repairs to rem main from the I-94 Food Processing City Share to be 100% and paid from
B. Resolution to approve the request for Development Funds for JSDC buildi \$40,000 and paid from the City Sales
C. Resolution to approve the recomme Economic Development Funds for \$ dues and funding SBDC, with the Ci the City Sales Tax Fund.
D. Resolution to recommend that St abatement received from Richard an 2008 property valuation on Lot 5, Bl the valuation from \$93,100 to \$77,20
E. Resolution to approve the adjustme and solid waste disposal fees effect in the approval of the 2010 budgets Rates 5% Increase; Sewer Utility Ra Collection Rates 5% Increase; Solid W
F. Resolution to approve City reimburse the cost of repairs to their property to any reimbursement received from coverage, and to include in the auth admitting any negligence on the part of the incident.
G. Resolution to approve Estimate Ne construction on FEMA Flood Road Re
H. Resolution to approve Estimate No. for construction on Sanitary Sewer D in the amount of \$3,675.00.
I. Resolution to approve Estimate No. construction on Utility & Street In Addition), in the amount of \$1,049.9
J. Resolution to approve Estimate Ne construction on 2009 Sidewalk and amount of \$80,211.80.
K. Resolution to approve Payment N Engineering, Inc., for engineering s System Improvements, in the amount
L. Resolution to approve Payment N Engineering, Inc., for construction e Mill and Overlay from BNSF tracks to in the amount of \$5,703.60.
M. Resolution to approve Payment N Interstate Engineering, Inc., for prelin (US 52) Dowel Bar Retrofit, Grinding the amount of \$727.10.
N. Motion to accept the reports of the Fire Department, Public Works D Forestry Department, Civic Center, C status.
O. Resolution on the Budget.
TO APPROVE CONSENT AGEN
5. RESOLUTIONS:
6. ORDINANCES:
A. SECOND READING: Ordinance No. franchise with Daktel Communication
B. SECOND READING: Ordinance No. 21-16-15 of the City Code pertaining
C. SECOND READING: Ordinance No. City Code pertaining to prohibition of
D. SECOND READING: Ordinance No. 1 Code pertaining to compulsory scho
E. SECOND READING: Ordinance No. 25-59, 25-60 and 25-61 of the prohibition of parking on emerge emergency.
F. SECOND READING: Ordinance No. 1 City Code pertaining to chemical te fatal crashes.
G. SECOND READING: Ordinance No. City Code pertaining to possession of
H. SECOND READING: Ordinance No. 1 Code pertaining to purchase of beer
7. COMMITTEE REPORTS:
A. To award the bid for the sale of aban
8. HEARING FROM THE AUDIENCE:
9. APPOINTMENTS:
A. To appoint member to serve on th Committee, with terms to expire July
10. MAYOR'S REPORT TO THE CITY COUNCIL:
11. OTHER BUSINESS:
A. To concur with Stutsman County fo precincts for the City of Jamestown be held at the Jamestown Civic Cent
B. To (approve-disapprove) the Jar Taxi for a taxicab license effective Jan
C. Concerning the Corps of Engine responsibility for the Feasibility Study
D. Relative to the authority of the Mayo government.
12. ADJOURNMENT:

Sniff Out A Bargain!
When you're hunting bargains, check the classifieds first!
The Jamestown Sun
252-3120 or 1-800-657-8067

12/5 Jamestown