| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **219 East St N** | 4 & all Lt 5 | | | | | | | | | | |
| 64-0220000 | Hebron Proper | 25-26-27 | 58 | $ 4,500 | $ 400 | $ 290 | $ 5,190 | 7800 | 7200 | 15000 | $ 5,200 |
| no address | | | | | | | | | | | |
| **RURAL** | | | | | | | | | | | |
| 41-0667000 | Zachmeier Subdivision | 8 | 1 | $ 340 | $ 70 | $ - | $ 410 | 3000 | 0 | 3000 | $ 500 |
| no address | Sec-15 Twp-139 Rng-81 | | | | | | | | | | |
| 43-0249000 | Sweet Briar 1st | 10 | 2 | $ 65 | $ 5 | $ - | $ 70 | 100 | 0 | 100 | $ 100 |
| no address | Sec-27 Twp-139 Rng-83 | | | | | | | | | | |
| 43-0254000 | Sweet Briar 1st | 15 | 2 | $ 65 | $ 5 | $ - | $ 70 | 100 | 0 | 100 | $ 100 |
| no address | Sec-27 Twp-139 Rng-83 | | | | | | | | | | |
| 43-0255000 | Sweet Briar 1st | 16 | 2 | $ 65 | $ 5 | $ - | $ 70 | 100 | 0 | 100 | $ 100 |
| no address | Sec-27 Twp-139 Rng-83 | | | | | | | | | | |
| 43-0256000 | Sweet Briar 1st | 17 | 2 | $ 65 | $ 5 | $ - | $ 70 | 100 | 0 | 100 | $ 100 |
| no address | Sec-27 Twp-139 Rng-83 | | | | | | | | | | |
| 43-0267000 | Sweet Briar 1st | 28 (less W 42') | 2 | $ 65 | $ 5 | $ - | $ 70 | 100 | 0 | 100 | $ 100 |
| no address | Sec-27 Twp-139 Rng-83 | | | | | | | | | | |
| 43-0268000 | Sweet Briar 1st | 29 (Less W 42') | 2 | $ 65 | $ 5 | $ - | $ 70 | 100 | 0 | 100 | $ 100 |
| no address | Sec-27 Twp-139 Rng-83 | | | | | | | | | | |
| 43-0269000 | Sweet Briar 1st | 30 (Less W 42') | 2 | $ 65 | $ 5 | $ - | $ 70 | 100 | 0 | 100 | $ 100 |
| no address | Sec-27 Twp-139 Rng-83 | | | | | | | | | | |
| 51-0115536 | North Country Est 2nd | 8 | 1 | $ 2,030 | $ 340 | $ - | $ 2,370 | 15000 | 0 | 15000 | $ 2,500 |
| no address | Sec-19 Twp-140 Rng-81 | | | | | | | | | | |
| 51-0115538 | North Country Est 2nd | 9 | 1 | $ 2,030 | $ 340 | $ - | $ 2,370 | 15000 | 0 | 15000 | $ 2,500 |
| no address | Sec-19 Twp-140 Rng-81 | | | | | | | | | | |
| 51-0115540 | North Country Est 2nd | 10 | 1 | $ 2,030 | $ 340 | $ - | $ 2,370 | 15000 | 0 | 15000 | $ 2,500 |
| no address | Sec-19 Twp-140 Rng-81 | | | | | | | | | | |
| 42-386000 | Montes Rancheros 5th | 1 | 3 | $750.00 | $20.00 | $ 90.00 | $860.00 | $1,000.00 | $0.00 | $1,000.00 | $860.00 |
| no address | .19 Acre | | | | | | | | | | |
| 42-387000 | Montes Rancheros 5th | 2 | 3 | $750.00 | $20.00 | $ 90.00 | $860.00 | $1,000.00 | $0.00 | $1,000.00 | $860.00 |
| no address | .19 Acre | | | | | | | | | | |
| 42-388000 | Montes Rancheros 5th | 3 | 3 | $750.00 | $20.00 | $ 90.00 | $860.00 | $1,000.00 | $0.00 | $1,000.00 | $860.00 |
| no address | .22 Acre | | | | | | | | | | |
| 42-389000 | Montes Rancheros 5th | 4 | 3 | $750.00 | $20.00 | $ 90.00 | $860.00 | $1,000.00 | $0.00 | $1,000.00 | $860.00 |
| no address | .23 Acre | | | | | | | | | | |
| 42-390000 | Montes Rancheros 5th | 5 | 3 | $750.00 | $20.00 | $ 90.00 | $860.00 | $1,000.00 | $0.00 | $1,000.00 | $860.00 |
| no address | .25 Acre | | | | | | | | | | |
| 42-391000 | Montes Rancheros 5th | 6 | 3 | $750.00 | $20.00 | $ 90.00 | $860.00 | $1,000.00 | $0.00 | $1,000.00 | $860.00 |
| no address | .27 Acre | | | | | | | | | | |
| 42-392000 | Montes Rancheros 5th | 7 | 3 | $750.00 | $20.00 | $ 90.00 | $860.00 | $1,000.00 | $0.00 | $1,000.00 | $860.00 |
| no address | .25 Acre | | | | | | | | | | |
| 42-393000 | Montes Rancheros 5th | 8 | 3 | $750.00 | $20.00 | $ 90.00 | $860.00 | $1,000.00 | $0.00 | $1,000.00 | $860.00 |
| no address | .19 Acre | | | | | | | | | | |
| 42-394000 | Montes Rancheros 5th | 1 | 4 | $520.00 | $20.00 | $ 55.00 | $600.00 | $1,000.00 | $0.00 | $1,000.00 | $600.00 |
| no address | .19 Acre | | | | | | | | | | |
| 42-395000 | Montes Rancheros 5th | 2 | 4 | $520.00 | $20.00 | $ 55.00 | $600.00 | $1,000.00 | $0.00 | $1,000.00 | $600.00 |
| no address | .25 Acre | | | | | | | | | | |
| 42-396000 | Montes Rancheros 5th | 3 | 4 | $750.00 | $20.00 | $ 90.00 | $860.00 | $1,000.00 | $0.00 | $1,000.00 | $860.00 |
| no address | .24 Acre | | | | | | | | | | |
| 42-397000 | Montes Rancheros 5th | 4 | 4 | $750.00 | $20.00 | $ 90.00 | $860.00 | $1,000.00 | $0.00 | $1,000.00 | $860.00 |
| no address | .20 Acre | | | | | | | | | | |

THE TAX SALE WILL TAKE PLACE ON NOVEMBER 17, 2009 STARTING AT 10:00 AM CST. IT WILL BE HELD IN THE COMMISSION ROOM LOCATED IN THE MORTON COUNTY COURTHOUSE. THE BID PRICE WILL START AT WHAT IS APPROXIMATELY OWED FOR TAXES.

10/30 - 4071π

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STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION
BNSF Railway Company
Review of Private Railroad Crossings
Application

Case No. RR-09-651
NOTICE OF HEARING
October 14, 2009

On September 16, 2009, BNSF Railway Company filed an application requesting the Commission review seven private railroad crossings in North Dakota and asked the Commission to issue an order determining whether audible devices warning of a train's approach will be sounded at these crossings under North Dakota Century Code section 49-11-21, effective after December 31, 2009.

A Public Hearing on the application is scheduled to begin December 1, 2009 at 10:00 a.m. in the Commission Hearing Room, State Capitol, 12th Floor, 600 E Boulevard Ave, Bismarck, North Dakota. The issues to be considered are:

**1.** Whether the railroad should sound a warning device at private crossing, DOT # 086644R at Crary based on the safety concerns of the public.

**2.** Whether the railroad should sound a warning device at private crossing, DOT # 093009S at Erie based on the safety concerns of the public.

**3.** Whether the railroad should sound a warning device at private crossing, DOT # 093032L at Page based on the safety concerns of the public.

**4.** Whether the railroad should sound a warning device at private crossing, DOT # 093533R at Heimdal based on the safety concerns of the public.

**5.** Whether the railroad should sound a warning device at private crossing, DOT # 081545B at Williston based on the safety concerns of the public.

**6.** Whether the railroad should sound a warning device at private crossing, DOT # 087697T at Mandan based on the safety concerns of the public.

**7.** Whether the railroad should sound a warning device at private crossing, DOT # 087513R at Hebron based on the safety concerns of the public.

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 at least 24 hours in advance.

PUBLIC SERVICE COMMISSION
Tony Clark, Commissioner
Kevin Cramer, Chairman
Brian P. Kalk, Commissioner
10/23 - 4057

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**NOTICE OF FORECLOSURE SALE**

NOTICE IS HEREBY GIVEN by Midtown Storage Company that a self-storage facility lien will be foreclosed and the personal property of Lane Weber, Jack Wetsch, Tanner Strickland and Glen Larson, at a private sale for cash, on October 23, 2009, at 5:30 PM at
2902 Memorial Highway, Mandan, ND.
10/16, 27 - 4044

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**Little Heart School Board Minutes**
**September 8, 2009**

Regular meeting was held at St. Anthony School at 8PM. Board member Jesse Smith was absent. Vistors were Carleen Bahm and Eronie Beohm. The meeting was called to order by Vice Pres. Barnhardt. The minutes of the last regular meeting were read. There being no corrections or omissions the minutes were approved as read.

The clerk presented all bills. Motion by Fisher that all bills listed be allowed and paid. Was seconded by by Blair. Motion carried. There being no further business, Leingang motioned to adjourn. Seconded by Barnhart. Motion carried.

Colleen Knoll Business Manager
Jesse Smith, Pres.

**Bills approved for payment. 9-8-09**

BND .....820.70
Crescent Printing.....23.75
Advanced Business Method .....924.00
Pearson Educations.....33.46
Houchton Nifflin Darcourt.....144.54
MREC.....580.00
Time for Kids .....54.20
Bismarck Tribune .....44.64
West River Telephone .....36.12
Dick Plumbing and
Heating .....15912.00
Lillis Electric Inc .....7746.55
Hub International .....20.00
Mar Gran Sou.....94.57
Missouri West Water .....36.28
Shawn Berger
(Ground mowing) .....235.45
Boehm Builders.....3798.00
Melissa Fisher (painting) .....127.13

**Little Heart School Board Minutes**
**9-29-09**

Special meeting was held at St. Anthony School at 8 PM. Board member Kim Barnhardt was absent. The meeting was called to order by Pres. Jesse Smith. The board revise of the budget report. There being no further business, Blair motioned to adjourn, Leingang Seconded. Motion carried.

Colleen Knoll, Bus Manage
Jesse Smith Pres.
10-23- 4056

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The Mandan City Commission met in regular session at 5:30 p.m. on September 29, 2009 in the Ed "Bosh" Froehlich Room at City Hall. Commissioners present were Helbling, Tibke, Jackson, Gangl and Serhienko. Department Heads present were Finance Director Welch, City Attorney Brown, City Administrator Neubauer, Director of Public Works Wright, Fire Chief Nardello, Business Development Director Huber, Engineering Project Manager Bechtel and City Assessor Barta. Absent: Police Chief Bullinger.

**MINUTES:** Consider approval of the minutes for the following meetings:
(1) September 15, 2009 Board of City Commissioners and (2) September 17, 2009 Joint Special meeting of the Mandan City Commission, Park District, School Board, and Morton County Commissioners. Commissioner Tibke moved to approve the minutes as presented. Commissioner Serhienko seconded the motion. The motion received unanimous approval of the members present.

**PUBLIC HEARING:**

**1.** Public Hearing to review and discuss the Preliminary 2010 Budget. (See Ordinances #1 and Resolutions #2 and #3). Finance Director Welch reported that there were no comments received in opposition to the Preliminary 2010 Budget except for the list of questions presented by Wayne Papke. Commissioner Tibke inquired about increased health care costs. She said that in the beginning, the total amount of healthcare costs paid for by the City was $319,772.50. As of 2008, we are at $657,441.63. She explained that due to rising costs she requested what amounts and percentages have been paid in the past by the city for employees. Mayor Helbling replied that the Commission has had lengthy discussions regarding rising healthcare costs and that next year there will be consideration given as to whether or not the city should continue to pick up the entire expense for the employees. Mayor Helbling stated this is a public hearing and asked for comments from the public. Wayne Papke, a Mandan City resident, came forward to speak. He requested a summary of the differences between the first draft and second draft 2010 Budget proposals. Finance Director Welch responded that the total General Fund expenditures remained the same. There were some minor adjustments made in the Water and Sewer Utility Fund and also in the Solid Waste Utility Fund of which the Funds were reduced in those expenditures. The Mandan Parking Authority budget has been removed because those expenditures will take place in the General Fund and will be absorbed within the original Preliminary Budget estimate on September 1, 2009. Those were the major changes that took place – the reduction in the capital outlay expenditures in the Water and Sewer Utility Fund and also in the Solid Waste Utility Fund. The rest of the Budget remains the same as was published on September 1, 2009. Papke inquired about the postponement of the Division Street Project stating that Commissioner Jackson said it was put off. Commissioner Jackson replied that there are two different projects. Engineering Project Manager Bechtel commented that the one he (Papke) is referring to showed up in the Urban Roads Project, Division Street Project, of which the Commission has moved to remove that project some time ago. That would not occur in 2010. Papke stated that he is in opposition to the Utility Fund rate increase. He stated the overall Utility Fund runs in the black. He stated the Utility Fund rate increase serves in his opinion, as an increase in taxes without direct taxation. He stated that he would like to see that this is targeted towards the new $4.1 million project. He would like to see a Resolution from the Commission stating that that is what the increase is benchmarked for. Finance Director Welch explained that the Water Utility rate increases are not tied to any one expenditure. The Water Utility rates are based upon the City's Water Utility Rate Analysis Study that took place during the summer of this year. The recommendations from that Study would be rate increases from now through FY 2013; that included the rate increase for the FY 2010 Budget. In reference to the $4.1 million project, that project will be discussed by the Board in the future if it so chooses to move in that direction. It will be funded through State Revolving Fund program dollars. And yes, the City will have to have a rate mechanism in place to repay those bonds but the Board will have to approve entering into that debt arrangement before the debt would go any further. Mayor Helbling stated that the bulk of the 2010 budget is going for debt repayment of that debt. Papke then requested a comparison of water rates. Commissioner Jackson stated that the water rate increases were approved some time ago based on a long term study that was conducted in hopes of stabilizing rates for years to come. Jackson recalls from the study that was conducted that other cities were also considering rate increases in comparison to Mandan's. Commissioner Tibke commented that the public has voiced concern. They do not like surprises but rather would like a planned approach in increments that make sense that can be used towards water improvements within the community. The rate increase follows the projects that are part of the long term planning. In summary, the Commission is doing long term planning with sensible rate increases. The goal is to be mid range with the rates. Mayor Helbling commented that Mandan is within mid range of comparable sized cities in North Dakota. Mayor Helbling asked for further comments regarding this matter. Hearing none, this portion of the public hearing was closed. Commissioner Tibke requested Finance Director Welch to address Papke's concerns about using the funds for various projects that are not water related. Finance Director Welch replied that the net revenues from the Water and Sewer Utility Fund are not used to offset property taxes. The City does not discriminately transfer cash out of the Water and Sewer Utility Fund into the General Fund for the sake of finding a reason to raise Water Utility rates. As far as infrastructure projects, the City, by Ordinance, is required to offset any over sizing of water and sewer infrastructure. If the Board deems it necessary to offset some assessments because the project costs have come in too high, the City has taken some flexibility in using some Water and Sewer Utility Funds to help buy down some assessment costs. However, it does not do so without considering whether it can financially afford to do that.

**BIDS:**

**CONSENT AGENDA:**

**1.** Consider approval of the following abatements:

**i.** Brandon Brandt-2-year exemption for New Construction

**ii.** Wm. Braxmeyer-Homestead Credit exemption

**iii.** Margie Duppong-Homestead Credit exemption

**iv.** Lisa Grabar-2-year exemption for New Construction

**v.** Duane Kitzan-Disabled Veteran exemption

**vi.** Devin Hutton-2-year exemption for New Construction

The Board approved of the abatements as listed above.

**2.** Consider acceptance of Jail Contract FY 2010. The Board approved of the Jail Contract FY 2010.

**3.** Consider approval of change order for South Side Reservoir time extension.
The Board approved of the change order for South Side Reservoir time extension.

**4.** Consider approval of change order for 20-inch transmission line time extension.
The Board approved of the change order for 20-inch transmission line time extension.

Commissioner Tibke moved to approve the Consent Agenda as presented. Commissioner Gangl seconded the motion. The motion received unanimous approval of the members present.

**OLD BUSINESS:**

**NEW BUSINESS:**

**1.** Update regarding noise issues. Commissioner Jackson reported that he is in the process of finalizing the Noise Committee. He reported that the following have agreed to be on the Committee: Richard Haman, Victoria Johnson, Mike Wachtner, a representative from Captain Freddy's (Todd Kranda), and a representative from the Broken Oar (Attorney Richard Baer). Jackson is in the process of recruiting one more person to sit on the Committee. The first meeting is schedule for Thursday, October 1, 2009, 5:30 in the Ed "Bosh" Froehlich Meeting Room. Public notices will go out on September 30, 2009. Commissioner Jackson requested that any one interested in filling a position on the Noise Committee call City Hall or contact him via email. This matter will be discussed at a future Commission meeting.

**2.** Receive and include in minutes, 111th Congress, 1st Session Senate Resolution 132 and House Resolution 415 Commending the heroic efforts of the people fighting the floods in North Dakota. Commissioner Jackson moved to include in the minutes, 111th Congress, 1st Session Senate Resolution 132 and House Resolution 415 Commending the heroic efforts of the people fighting the floods in North Dakota. Commissioner Tibke seconded the motion. The motion received unanimous approval of the members present.

**111th CONGRESS**
**1st Session**
**S . RES . 132**

Commending the heroic efforts of the people fighting the floods in North Dakota.

**IN THE SENATE OF THE UNITED STATES**
**May 6, 2009**

Mr. DORGAN (for himself and Mr. CONRAD) submitted the following resolution; which was considered and agreed to

**RESOLUTION**

Commending the heroic efforts of the people fighting the floods in North Dakota.

Whereas 47 of the 53 counties in North Dakota have been declared Federal disaster areas;

Whereas wide swaths of North Dakota have faced unprecedented flooding crises, including cities along the Des Lacs, Heart, James, Knife, Missouri, Little Missouri, Park, Pembina, Red, Sheyenne, Souris, and Wild Rice Rivers and Beaver Creek;

Whereas the people of North Dakota have suffered tremendous damage to their homes, livelihoods, and communities;

Whereas the ranchers of North Dakota are estimated to have lost nearly 100,000 head of livestock;

Whereas many of the roads and bridges, and much of the other infrastructure, in North Dakota are in need of repair;

Whereas, despite terrible conditions, the people of North Dakota have shown the strength of their shared bond, coming together in large numbers to save their cities, towns, businesses, farms, and ranches;

Whereas stories of exceptional efforts abound, from people filling millions of sandbags on short notice, to people saving lives and effecting rapid emergency evacuations;

Whereas Federal, State, and local officials have provided outstanding leadership and effective service throughout the crisis in North Dakota; and

Whereas the response of the people of North Dakota to the disaster has shown the world how communities can unite, fight, and win in a crisis: Now, therefore, be it

**Resolved, That the House of Representatives--**

**(1)** commends the people of North Dakota and Minnesota for their heroic efforts in fighting the floods in North Dakota and Minnesota;

**(2)** commends the many people from around the United States who assisted the people of North Dakota and Minnesota during this time of need;

**(3)** expresses appreciation to the officials of the numerous Federal agencies, including the Federal Emergency Management Agency, working on the ground in North Dakota and Minnesota for their consistently rapid, efficient, and effective response to the disaster; and

**(4)** continues to stand with the communities of North Dakota and Minnesota in the efforts to recover from the flooding during 2009, and to improve protections against flooding in the future.

**Attest:**
**Clerk.**

**3.** Removed from Agenda: Update on Heart River Bank Stabilization Project.

**RESOLUTIONS & ORDINANCES:**

**1.** Consider the second and final reading of Ordinance No. 1061 making the annual appropriations for expenditures/expenses of the City of Mandan, North Dakota, for the fiscal year commencing January 1, 2010, and ending December 31, 2010, and making the annual tax levy for the year 2009. Commissioner Serhienko moved to approve the second and final reading of Ordinance No. 1061 making the annual appropriations for expenditures/expenses of the City of Mandan, North Dakota, for the fiscal year commencing January 1, 2010, and ending December 31, 2010, and making the annual tax levy for the year 2009. Commissioner Jackson seconded the motion. Mayor Helbling requested a roll call vote: Commissioner Gangl: Yes; Commissioner Tibke: Yes; Commissioner Serhienko: Yes; Commissioner Jackson: Yes; Commissioner Helbling: Yes. The motion passed unanimously.

**ORDINANCE NO. 1061**

**AN ORDINANCE MAKING THE ANNUAL APPROPRIATIONS FOR EXPENDITURES/EXPENSES OF THE CITY OF MANDAN, NORTH DAKOTA, FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2010, AND ENDING DECEMBER 31, 2010, AND MAKING THE ANNUAL TAX LEVY FOR THE YEAR 2009.**

**BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF MANDAN, NORTH DAKOTA:**

**Section 1. There are hereby appropriated the following sums of money for so much thereof that may be necessary for the purpose of paying expenditures/expenses of the City of Mandan, North Dakota, for the fiscal year commencing January 1, 2010, and ending December 31, 2010.**

General Fund .....$7,261,350
Highway Distribution Fund.....862,200
City's Share of Special
Assessments Fund.....146,350
Cemetery Fund .....136,300
City Visitors' Promotion Fund .....41,500
Alarm-Equipment Reserve Fund .....2,000
City Sales Tax Fund .....1,922,050
Public Transportation
System Fund.....100,000
Job Development Authority
Fund .....100,000
Narcotics Task Force Grant
Fund .....16,100
Police Equipment Reserve
Fund .....223,450
Metropolitan Planning
Organization Grant Fund .....62,000
Traffic Safety Grants Fund.....20,400
Under-age Drinking
Enforcement Grant Fund .....500
Narcotics Task Force
Grant Fund-HIDTA.....90,950
SAFER Grant Fund .....152,150
Justice Assistance Grant
Fund .....107,300
BNSF Settlement Fund.....13,000
Downtown Redevelopment
Fund .....95,650
Health and Safety Fund .....62,200
Mandan Community Center
Revenue Bonds of 2005 Fund .....139,000
CVP Capital Construction
Revenue Bonds of 1994 Fund .....48,400
Liberty Memorial Bridge
General Obligations Bonds
Fund .....63,450
Refunding Improvement
Bonds Fund .....6,473,800
City Visitors' Promotion
Capital Construction Fund .....12,450
Mandan Growth Fund .....193,750
Water and Sewer Utility
Fund .....10,217,750
Solid Waste Utility Fund.....1,544,000
Street Light Utility Fund .....320,850
City Shop Fund .....293,650
Morton Mandan Public
Library Fund.....666,017

**Section 2. There are hereby levied the**