

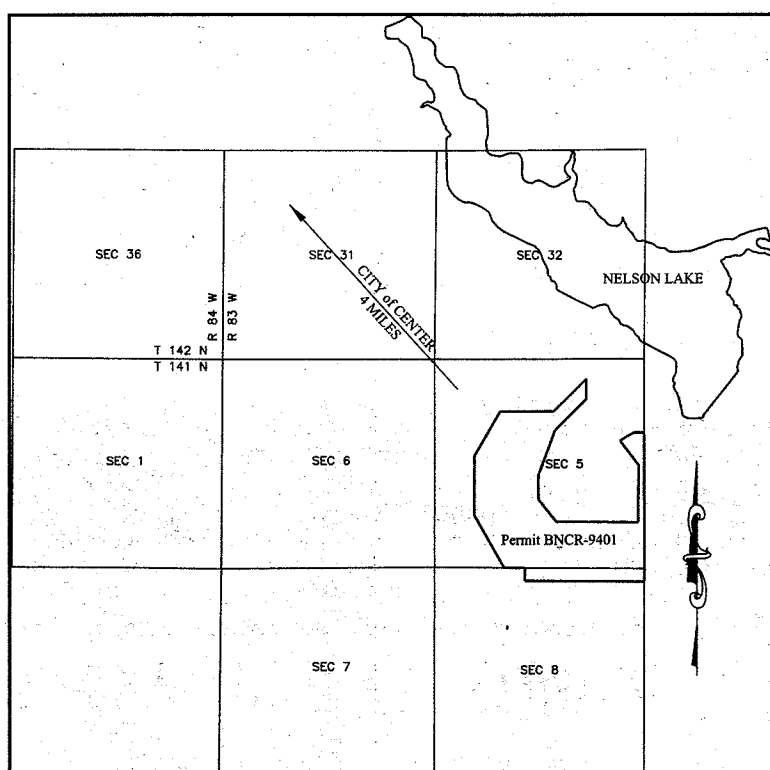
# PUBLIC NOTICES

## NOTICE OF APPLICATIONS FOR A PERMIT RENEWAL AND REVISION TO ENGAGE IN SURFACE COAL MINING AND RECLAMATION ACTIVITIES

Please take notice that BNI Coal Ltd., 2360 35th Avenue SW, Center, ND 58530-9499 has submitted applications to the North Dakota Public Service Commission for Permit Renewal No. 3 and Revision No. 9 to Permit BNCR-9401, approved on August 16, 1995, to engage in surface coal mining and reclamation operations. The area for which a permit renewal and revision is sought includes approximately 254.70 acres in Sections 5 and 8, Township 141N, Range 83W, in Oliver County, North Dakota. This area is shown on the accompanying map and is described below. Renewal No. 3 will extend the permit term another five years until August 16, 2015. The permit revision will update the legal and financial section, reclamation and operational sections and post mining land use.

Any person whose interests are or may be adversely affected by the proposed applications has the right to file written comments, objections or request an informal conference with the North Dakota Public Service Commission. Written comments, objections or requests for informal conferences should be sent to the ND Public Service Commission, 600 E Boulevard Avenue, Dept. 408, Bismarck, ND 58505 within 30 days after the last date of publication of this notice. Copies of the applications are available for inspection at the Oliver County Auditor's office located in the Oliver County Courthouse, Center, North Dakota 58530 and the Director's office, Reclamation Division, North Dakota Public Service Commission, 13th Floor State Capitol Building, Bismarck, North Dakota 58505.

The legal description and names of the apparent surface and mineral (coal) owners of the land in the permit area are as follows:



LEGAL DESCRIPTION  
Section 5 T141N R83W  
N 1/2 and SW 1/4

SURFACE OWNER  
Minnkota Power Cooperative

COAL OWNER  
Great Northern Properties

SE 1/4

Minnkota Power Cooperative

Minnkota Power Cooperative

Section 8 T141N R83W  
NW 1/4

Larry & Virginia Schmidt

Loretta Tabor  
Linda Borlaug  
Johnnie Kautzman  
Donna Barnhardt  
Frank Schmidt  
Breen Associates  
Albert Goering  
Wiser Oil Co.  
Security Oil & Realty  
Sabine Corporation  
Pacific Ent.ABC Crp.  
Walter Duncan, Inc.  
D.E. & O.J. Stucky  
Dale R. Saxvik &  
Matt Lawrence

Section 8 T141N R83W  
NE1/4NE1/4

Delphine Vetter  
Danita Deichert  
David H. Erhardt  
Doretta Bornemann  
Dean P. Erhardt

USA

NW1/4NE1/4 &  
S1/2NE1/4

Delphine Vetter  
Danita Deichert  
David H. Erhardt  
Doretta Bornemann  
Dean P. Erhardt

Same as Surface

(05-20-2010-05-27-2010-06-03-2010-06-10-2010)

## ABBREVIATED NOTICE OF INTENT TO ADOPT AND AMEND ADMINISTRATIVE RULES relating Educator Licensure Education Standards and Practices Board

will hold a public hearing to address proposed changes to the N.D. Admin. Code.

**Sakakawea Room  
State Capitol  
Bismarck, ND  
Mon., July 12, 2010  
1:30 p.m. CT**

A copy of the proposed rules may be obtained by writing to the Education Standards and Practices Board or calling (701) 328-9641. Written comments may be submitted to the Education Standards and Practices Board, 2718 Gateway Ave., Suite 303, Bismarck, ND, until July 23, 2010. If you plan to attend the hearing and will need special facilities or assistance relating to a disability, please contact the Education Standards and Practices Board at the above telephone number or address at least one week prior to the public hearing.

Dated this 26th day of May, 2010  
Janet Placek Welk, PhD  
Executive Director  
Education Standards and Practices Board

## STATE OF NORTH DAKOTA PUBLIC SERVICE COMMISSION BNI Coal, Ltd. Notice of Violation No. 1001 Violation Case No. RC-10-143 NOTICE OF INFORMAL CONFERENCE June 2, 2010 Preliminary Statement

On May 4, 2010, the Public Service Commission's Reclamation Division issued Notice of Violation 1001 to BNI Coal, Ltd. for erosion around a culvert that they installed through a section line road between Sections 6 and 7, T141N, R84W, in Oliver County. This culvert is part of Diversion 6-1 which was constructed by BNI to divert water from a drainageway that previously flowed through a mine area.

On May 18, 2010, the Commission received a request for an Informal Conference from BNI in the matter.

Notice of Informal Conference  
Notice is hereby given that the captioned matter is set for an Informal Conference, commencing at 1:30 p.m. CDT, on June 29, 2010, in the Public Service Commission's Hearing Room, 12th Floor, State Capitol, Bismarck, North Dakota.

If you require any auxiliary aids, such as readers, signers, or Braille materials, please notify the Commission, at (701) 328-2400, or Relay North Dakota TTY: 1-800-366-6888 at least 24 hours prior to the hearing.

PUBLIC SERVICE COMMISSION  
Tony Clark, Commissioner

Kevin Cramer, Chairman  
Brian P. Kalk, Commissioner

(6-10-10)

## NOTICE OF APPLICATION AND PUBLIC HEARING

Please take note that Bartlett & West of 3456 E. Century Avenue, Bismarck, North Dakota has made application to the Oliver County Planning and Zoning Commission for a conditional use permit for a 750,000 gallon water tank for the Southwest Pipeline Project, which is a regional and rural water system for potable water distribution and is owned by the North Dakota State Water Commission, Bismarck, North Dakota. This storage tank is to be located in the NW 1/4 of Section 30, Township 142 North, Range 87 West, Oliver County, North Dakota.

Take further notice that the Oliver County Planning and Zoning Commission pursuant to the provisions of Section 17.3, of the Oliver County Zoning Ordinance, will hold a public hearing on the request.

The hearing will be held at 7:00 PM on Thursday, June 24, 2010, in the Meeting Room of the Oliver County Courthouse, in Center, North Dakota. Anyone wishing to respond to the applicant's request may do so at the time of the hearing.

John R. Wicklund  
Oliver County  
Land Use Administrator

(6-10-10-6-17-10)

## Center/Stanton Public School May 13, 2010 Regular Board Meeting Minutes

Chairman Richard Schmidt called the regular meeting of the Center/Stanton School Board to order at 8:06 p.m. on May 13, 2010. Board members present were Cynthia Berger, Chris Christianson and Nathan Henke. Todd Buchmann was absent. Administrators present were Superintendent Royal Lyson and Secondary Principal Curt Pierce. Also present was Business Manager Janet Alderin. Guests present were Tim Erhardt, Janelle Montgomery and Tracy Peterson.

Additions to the Agenda: Old Business - C. Clarification of Extended Sub Pay

New Business - G. Non-Tuition Agreement/Waiver

Henke moved to set the agenda. Berger seconded the motion. All in favor. Motion Carried.

Berger moved to approve the minutes from the April 8, 2010 regular board meeting. Christianson seconded the motion. All in favor. M/C.

Financial Reports: Monthly Financial Reports consisting of the General Fund, Activity Fund, Building Fund, Hot Lunch Fund and April payroll totals were presented to the Board. Christianson moved to approve the financial reports (consent agenda). Berger seconded the motion. All in favor. M/C.

CD's. Alderin informed the Board that the seven month CD term and rate that she presented at the April meeting were not available to the school since it is a public entity. Henke moved to supersede the April 8th motion and invest the CD's of \$50,000.00 (plus accrued interest) and \$100,000.00 for a 12 month term at the negotiated rate of 1.185%. Berger seconded the motion. Roll call vote: Henke-yes, Christianson-yes, Schmidt-yes, Berger-yes. M/C.

Roofing Bids. Alderin presented the actual amounts for the roofing bids that were discussed at the April meeting where the decision was made to accept the lower of the two bids.

Swim Team. Henke moved to transfer the balance of \$88.02 from the non-existent Swim Team to the Activity Fund - Athletics Account and set up a new account for the Swim Club. Christianson seconded the motion. Roll call vote: Christianson-yes, Henke-yes, Schmidt-yes, Berger-yes. M/C.

Bills: Christianson moved to pay the following bills as presented: Acme Tools - Bismarck 199.99; Advanced Business Methods 531.39; Albers, Claudia 550.00; Bhg Inc 204.25; Bismarck Public Schools 6,065.05; Busch Environmental Consulting 400.00; Bytespeed, Llc 4,369.00; Cengage Learning 139.58; Center Coal Company 1,238.04; City Of Center 244.13; Computer Network Accessories 39.00; Corner Express 148.07; Dakota Boys And Girls Ranch 1,745.66; Dakota Refrigeration Inc 239.25; Dave's Sales & Service 235.82; Davis, Jodi 15.89; Department Of Public Instruction 90.00; Elaine's Floral 50.00; Erhardt, Janet 644.20; Etsystems Inc 82.25; Flinn Scientific Inc 53.99; Froseth, Melissa 93.70; Fryslie, Judith 150.00; Geiger, Nancy 36.68; Harlow's Bus Sales Inc. 1,257.25; Hintz, Jodi 12.65; Information Technology Dept 198.00; Interstate Battery 24.29; Jw Pepper & Son Inc 396.62; Jw Perry Inc 225.85; Lillis Electric, Inc. 601.45; Lyson, Royal 227.00; Mandan Plumbing & Heating, Inc. 569.80; Menards 143.08; Mid Dakota Wheel Alignment 181.28; Montana Dakota Utilities Co 3,437.12; Montgomery, Janelle 115.98; Ndccl 340.00; Nw Tire 805.98; Office Max Incorporated 70.34; Oliver County Abstract Llp 165.00; Oliver Mercer Special Ed 24,382.95; Peterson, Tracy 197.00; Pierce, Curt 624.14; Plunketts Pest Control, Inc. 170.00; Positive Promotions Inc 213.45; Prairie Learning Center 1,323.00; Praxair Distribution Inc 241.90; Renaissance Learning Inc 301.99; Robillard, Richard 65.00; Rooke, Christopher 88.41; Roughrider Electric Cooperative 18.00; Rudnigen, Aaron 309.62; Schmidt, Karen 109.66; Skalsky, Amber 50.00; Square Butte Golf Course 500.20; Statewide Services 28.00; Stein's Inc 1,043.76; Tesoro 4,891.94; Us Foodservice 380.48; Vitek, Keith 554.88; Wagon Wheel Lumber 480.29; Wrt 170.49. Berger seconded the motion. Henke mentioned that he would like to see something done about the bills that we have to pay due to the placement of students. Mr. Lyson mentioned that he has been appointed to the Legislative Assembly Administrators' Group and they are going to be pushing for this to be changed in the next legislative session. Roll call vote: Berger-yes, Christianson-yes, Henke-yes, Schmidt-yes. M/C.

Activity Fund Disbursements. Clarification of what fundraising monies can be spent on was requested. Decision was

that it will be left to the discretion of the athletic/activity director and should be available to all students of the organization and not be used for the benefit of select individuals and/or the coaches.

Wellness Disbursements. Clarification of what expenses can be submitted for wellness reimbursement was requested. A claim for a wellness drink was denied by administration due to the wording of the negotiated contract. Decision by the Board was that this did not qualify for reimbursement and that the negotiations committee should review the "Wellness" provision of the negotiated contract.

Correspondence: A thank-you letter from the Center/Stanton Post Prom Committee was read to the Board. Henke verbally thanked Royal Lyson and Val Saylor for their years of service to the Center/Stanton School District.

Secondary Principal's Report: Mr. Pierce reported on the AYP Report, Accreditation Report, Handbook, Final Test Schedule and Graduation.

Elementary Principal Kathy Bullinger and Guests (Lacey Hanson, J.D. Hanson, Lisa Reichenberg, Tamara Larson, Renae Schmidt, Laura Huber and Kristen Henke) arrived at the meeting at 8:37 p.m.

Activities Director's Report: Mr. Pierce read a letter of resignation from Michael Bergstrom as Head Girls' Basketball coach. Henke moved to accept Michael Bergstrom's letter of resignation. Christianson seconded the motion. Roll call vote: Schmidt-yes, Henke-yes, Berger-yes, Christianson-yes. M/C. Mr. Pierce also reported on the Academic/Athletics Awards Night.

Elementary Principal's Report: Mrs. Bullinger reported on the Kindergarten Screening and Immunization Clinic, Map/Dibels Testing, School Improvement Update, Social Studies Curriculum, Teacher Trainings, End of Year Work and Upcoming Events of Kindergarten Graduation, Play-Day Games and Clean-Up Day.

Superintendent's Report: Mr. Lyson reported on the Awards Night, Corp of Discovery plasma cutter and industrial embroidery machines for use in our school, Legislative Assembly to address TFFR, Teacher Appreciation Week, and the Retirement Party that was held for Val Saylor and himself.

Visitors: Lisa Reichenberg, Oliver County Director of Emergency Services, was present to report on the tornado drill that was held during National Weather Awareness Week. She commended the elementary principal, secretary, staff and students on a job well done and encouraged the High School to participate in the drill next year.

New Business (moved up agenda item):

Kindergarten Graduation: Several parents were present to discuss concerns of possibly not having the formal graduation ceremony that has been held in the past and requested support of the Board to continue this practice. After lengthy discussion, Board said that this should not be a Board decision, but rather needs to be discussed and decided together by administration, staff and parents. Mr. Lyson informed the parents present and the Board members that for this year kindergarten graduation will be held as a formal ceremony with sash and cap.

Old Business:

Sale of Superintendent's House. President Schmidt informed the Board that the individual who made the offer last month to purchase the house has decided to not go through with it. There has been another \$48,500.00 offer made for the house and two lots, a purchase agreement has been drafted and a downpayment of \$4,850.00 has been deposited into the CSHS general fund. Berger moved to accept the offer and sign papers as of April 23, 2010 when the downpayment check was issued. Henke seconded the motion. Roll call vote: Schmidt-yes, Henke-yes, Berger-yes, Christianson-yes. M/C.

Boiler Insurance. Alderin reported that the Stanton location has been removed from the policy and there is a credit of \$1644.54.

Clarification of Extended Sub Pay. Question was asked as to how extended sub pay is handled when the sub needs to take emergency leave during the time period of subbing. Do the days of emergency leave count or not when counting the "ten consecutive days"? Board's decision was to send this to the negotiations committee for clarification.

Committee Reports:  
Buildings & Grounds. Committee met on April 16, 2010 at 8:00 a.m. CT.

Henke moved to approve the following bids: \$665.50 from Lillis Electric Inc. for a heater in the janitorial shed, \$3305.00 from The Insulation Factory of Bismarck, LLC for spray on urethane

The Oliver County Canvassing Board will meet on Friday, June 11, 2010 at 10 a.m. CDT in the Oliver County Courthouse.

(6-10-10)