

8/1 Council votes to return art piece to Bemidji

By BETHANY WESLEY

Forum Communications Co.

BEMIDJI, Minn. — Deborah Davis hid her face with a fan created from a copy of the Bill of Rights as the Bemidji City Council made it official: "Gaea" will return to downtown Bemidji.

The council voted unanimously Tuesday night to reverse last week's decision by City Manager John Chittin to remove "Gaea" from its spot at the intersection of Fourth Street Northwest and Beltrami Avenue Northwest due to concerns about what was depicted on the abdomen of the beaver.

"I do believe good always wins," Davis said after the meeting, her voice slightly cracking. "But I didn't think I could fight City Hall."

"Gaea" is one of 10 beaver sculptures placed throughout Bemidji. Completed by Davis, it features, on the belly of the beaver, a human

figure rising from a sea of pinkish-red circles.

While Davis has said the front of the sculpture shows Mother Earth praying and the circles are roses coming forth from her hands, others have viewed the sculpture differently, seeing, instead, a portion of the female anatomy.

"Gaea" was removed from the Bemidji Sculpture Walk last week at the city's request, prompting an outcry from artists and supporters concerned about censorship.

Those supporters filled the City Hall council chambers Tuesday as they protested the removal of the 4-foot-tall, multicolored sculpture.

With more than 80 people in attendance, there was a standing-room-only crowd of people that spilled out into the entryway after chairs were filled.

Fifteen people addressed

the council, 12 of whom clearly advocated for returning "Gaea" to the Sculpture Walk.

"Bemidji has aspired to be an especially art-friendly city," said Brian Donovan. "We need to be careful not to chill the climate for artistic expression in the form of public art in this sculpture walk and elsewhere. Nothing chills expression more than censorship."

Kathryn Lavelle said "Gaea" depicted womanhood, femininity, strength and beauty.

"I'm interested in knowing which of these things ... Mr. Chittin or the council has an issue with," she said.

The crowd of spectators was overwhelmingly in favor of restoring "Gaea" to the Sculpture Walk, but other views were represented. Dave Larson said he respected artists' rights to expression, but questioned

whether a downtown intersection was the best location for the sculpture.

"In my opinion, I think it's inappropriately displayed on a corner of our street," he said. "I don't think that's the place to display it."

He said he has six granddaughters and three daughters.

"I would hesitate to walk downtown and try to explain to them what they're looking at," Larson said. "I would find that difficult."

In response, Linda Brown stepped to the podium and said that any child who looks at "Gaea" and sees a portion of the female anatomy probably "has been exposed to something (the child) should not have been exposed to" and said social services should meet that child.

Brown said she has viewed "Gaea" multiple times and never saw an image of the

female anatomy.

Following the public input, the council did not take long to reach its decision.

Councilor Barb Meuers opened that portion of the discussion by asking Chittin how he came to reach his decision.

"I chose to remove it because I felt it was inappropriate for a major intersection or any other public place for the city of Bemidji," Chittin said.

While he did discuss the sculpture with city staff and City Attorney Al Felix, Chittin said, "This was entirely my decision."

Meuers said "everyone is watching us," and referenced recent interviews she gave to the Star Tribune and Wall Street Journal.

"I'm hoping we don't go the way you did, with censorship," she said.

Councilor Roger Hellquist said the controversy has pre-

sented an opportunity for the city to develop a process or policy to address similar situations in the future.

While both later voted to return "Gaea" to the Sculpture Walk, both Mayor Richard Lehmann and Councilor Greg Negard tried to temper the anger some supporters felt toward Chittin.

"I don't agree with his decision on this," Negard said. "But he did make a decision and I don't think we should take him to task too much on this."

A meeting had been planned for Tuesday afternoon in advance of the council meeting, but that meeting was canceled, Lehmann said.

Bethany Wesley is a reporter at The Pioneer in Bemidji, Minn., which is owned by Forum Communications Co.

Public Notice PUBLIC NOTICE ADVERTISING PROTECTS YOUR RIGHT TO KNOW

IN THE DISTRICT COURT OF STUTSMAN COUNTY, STATE OF NORTH DAKOTA

Probate No. 2010-PR-47

In the Matter of the Estate of Joan C. Keyes, Deceased

NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that I have been appointed Personal Representative of the above estate. All persons having claims against the decedent are required to present their claims within three months after the date of the first publication or mailing of this notice or those claims will be forever barred. Claims must either be presented to Timothy J. Keyes, Personal Representative of the estate, at the office of his/her attorney, Daniel E. Buchanan, 110 First Street East, Post Office Box 879, Jamestown, North Dakota 58402-0879, or be filed with the Court. Dated this 10th day of June, 2010.

Timothy J. Keyes,

Personal Representative

BUCHANAN LAW OFFICE

Daniel E. Buchanan, ND ID # 02883

110 First Street East

Post Office Box 879

Jamestown, North Dakota

58402-0879

Phone: (701)252-6604 Fax:

(701)952-4757

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July, 2010.

July 1, 8, 15, 2010

NOTICE OF PUBLIC HEARING

Public law 94-385, Title IV, Weatherization Assistance for Low Income Persons program, requires the administering agency to hold a

public hearing to receive comments on the 2010 State Plan for the Department of Energy Sponsored Weatherization Program.

The public is hereby notified that a public hearing has been scheduled for July 28, 2010 at 1:00 p.m. (CST) in the Icelandic Conference Room of the North Dakota Department of Commerce in the Century Center Building located at 1600 East Century Avenue, Suite 2, Bismarck, North Dakota.

The purpose of this hearing is to receive comments on the North Dakota Weatherization Assistance Program State Plan. Organizations, political subdivisions, or individuals having an interest in the Weatherization Assistance Program may submit comments or obtain a draft copy of the Plan by writing to:

North Dakota Department of Commerce

Division of Community Services

1600 East Century Avenue, Suite 2

Bismarck, ND 58503

Telephone: (701) 328-5300

Individuals can also view a copy of the draft plan online at www.ndwap.com after July 7. Alternative formats are available upon request. Should anyone require auxiliary aids or services, or need additional information, please contact Cal Steiner at 328-5300 prior to the public hearing.

July 8, 2010

STATE OF NORTH DAKOTA PUBLIC SERVICE COMMISSION

North Dakota Telephone Company/ Midcontinent Communications

Interconnection Agreement Amendment Application

Case No. PU-10-309

NOTICE OF OPPORTUNITY FOR COMMENT

June 30, 2010

On June 25, 2010, North Dakota Telephone Company (NDTC) entered into an interconnection agreement amendment with Midcontinent Communications (Midcontinent) pursuant to Section 251 of the Telecommunications Act of 1996 (Act). The agreement amendment sets forth terms and conditions under which NDTC will provide interconnection services, local number portability, ancillary services and wholesale services for resale to Midcontinent in the New Rockford, North Dakota exchange. The agreement was filed with the Commission on June 25, 2010.

On June 25, 2010, Midcontinent filed a request for approval of the interconnection agreement in less than 90 days pursuant to 47 U.S.C. § 252(e)(1).

This agreement was filed under Section 252(e) of the Telecommunications Act of 1996. The Act requires that any agreement adopted by negotiation or arbitration

be submitted for approval to the Commission. Under 47 U.S.C. § 252(e)(2)(A), the Commission may only reject an agreement adopted by negotiation (or a portion of the agreement) if it finds that:

1. the agreement discriminates against a telecommunications carrier that was not a party to the

agreement; or
2. implementation of the agreement is not consistent with the public interest, convenience, and necessity.

In addition, under 47 U.S.C. Section 253 the Commission may include, in its review, state requirements that do not constitute barriers to entry.

The Commission will receive written comments on this agreement until August 13, 2010.

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

July 8, 2010

SUMMONS

File No. 47-10-R-74

File No. 47-10-R-75

SOUTHEAST JUDICIAL DISTRICT

IN THE JUVENILE COURT OF

STUTSMAN COUNTY

IN THE INTEREST OF

I.C. and J.C., MINOR CHILDREN

State of North Dakota, Petitioner,

vs

I.C., J.C., Esther Cruz,

Donte Compton, Brandon Lee

Moore, Respondents,

THE STATE OF NORTH DAKOTA TO

THE ABOVE NAMED RESPONDENTS:

You, and each of you, are here-

by summoned and required to ap-

pear personally and bring the

above-named children before the

Juvenile Court, at its Chambers

in the Courthouse, in the City of

Jamestown, in said County and

State, on July 30, 2010 at 8:30 a.m.

or as soon thereafter as the parties

can be heard, for the purpose of

hearing the Petition made and

filed with this Court, alleging said

children to be subject to the pro-

visions of the Uniform Juvenile Court

Act (Chapter 27-20, NDCC) by rea-

son of the following: that said chil-

dren are alleged to be deprived,

and the Petitioner is seeking ter-

mination of parental rights, as more

fully appears from the Petition, a

copy of which may be obtained

from Brian Washburn, Juvenile

Court Officer.

If you fail to appear personally

before the court at said time and

place, or to show good cause why

you cannot do so, the court will

make such Order as may be ap-

propriate and you may be pro-

ceeded against for civil contempt,

therefore, you are specifically or-

dered to appear at said time and

place.

RIGHT TO COUNSEL

While you are not required to

have the assistance of legal coun-

sel in this proceeding, you are en-

titled to such assistance if you so de-

sire. If you desire legal counsel and

are unable without undue financial

hardship to employ counsel, the

court, upon your request, will ap-

point legal counsel for you.

If you intend to have legal coun-

sel, you are requested to make the ne-

cessary arrangements in