

...with a bid of \$87,987.50. Meiers
...that the bid be awarded to Doeden
...BY KLUG, 2ND BY CYMBALUK, to
...the bid of \$87,987.50 to Doeden
...ar, Klug, Cymbaluk, Koeser
...AND NOT VOTING: Bekkedahl
...commented on project 11-3 would in-
...ter and a storm sewer on 26th and
...West, half mile paving as well as
...the paving to Hagen School. This
...as opened last week and after a
...good bids, Northern Improvement
...low bid at \$1,578,040.85 which was
...estimate.
...BY BOGAR, 2ND BY CYMBALUK,
...the award of the bid to Northern
...ent for the bid of \$1,578,040.85.
...ar, Klug, Cymbaluk, Koeser
...AND NOT VOTING: Bekkedahl
...4-0
...ent Bids
...cussed that there were two bids on
...id the Rapid Rail Refuse Truck and
...nt of the compactor under ad-
...yback for the landfill. Boyce Broth-
...e bidder for the Rapid Rail Refuse
...197,665 and for the compactor was
...after the trade in. The equipment
...n is built into this bid also.
...BY BOGAR, 2ND BY BOGAR, to ap-
...two bids for the Rapid Rail Refuse
...of \$197,665 and the compactor bid
...0.
...r, Klug, Cymbaluk, Koeser
...AND NOT VOTING: Bekkedahl
...4-0
...ck Bids
...resented a recommendation from
...mmittee who reviewed the truck.
...s were received. The committee
...bid from Heinen Inc. at \$249,735.00
...h it wasn't the lowest bid, it was a
...e that they had worked with in the
...has been very good to us. Koeser
...Furuseth if this was okay, since
...ny was not the lowest bidder. Fu-
...lained that as long as we take the
...nsible bidder, it was okay. Hanson
...that they are getting a four door
...uck with center mount pump, 1000
...water, 1250 gallons per minute
...n capable and a top mounted con-
...as desired by the committee. It has
...e power engine, Freight Liner truck
...lacement of the 75 LeFrance that
...tly have.
...BY CYMBALUK, 2ND BY KLUG, to
...e purchase of the Heinen for
...0.
...r, Klug, Cymbaluk, Koeser
...AND NOT VOTING: Bekkedahl
...4-0
...arings
...d Zone Change from Agricultural
...avy Industrial and Preliminary Plat
...to. 11 Miller/Oasis Petroleum.
...med the hearing.
...ained to the commission this pro-
...est of Williams Rural Electric and
...nty Road 7. The proposal is a
...quest from Agricultural to M-2
...ustrial to allow for the Oasis shop
...velopment as well preliminary plat
...es creating Sublot #11. This pro-
...the one mile jurisdiction of the City
...The Planning and Zoning Com-
...consider a future land use map
...ea are currently being used for in-
...e. Planning and Zoning did give

...Final Plat requirements, of the opinion of
...Non-protest future annexation agreement.
...AYE: Bogar, Klug, Cymbaluk, Koeser
...NAY: None
...ABSENT AND NOT VOTING: Bekkedahl
...CARRIED: 4-0
...5. Accounts, Claims and Bills Not Approved
...in the Consent Agenda
...6. Ordinances
...A. An Ordinance to Amend Section 3-35 of
...Article 111 ("Licenses") of Chapter 3 ("Alco-
...holic Beverages") to the City of Williston
...Code of Ordinances to Allow Domestic Win-
...eries to Sell Wine at Special Events in the
...City of Williston without Licensure.
...Kautzman informed this request came from a
...group that has gone to various cities around
...the state and had this event. They have been
...able to have this event and operate under a
...state umbrella license for at least wine tast-
...ing. Our ordinance has not allow for this and
...this is to correct this. There are three mis-
...takes that were included in the ordinance and
...need to be corrected.
...MOTION BY CYMBALUK, 2ND BY BOGAR to
...table this issue for the April 26th meeting.
...AYE: Bogar, Klug, Cymbaluk, Koeser
...NAY: None
...ABSENT AND NOT VOTING: Bekkedahl
...CARRIED: 4-0
...7. Petitions, Communications and Remon-
...strance's
...A. Letter from Williams County Building In-
...spectör - 1 Mile Extraterritorial Jurisdiction
...Koeser informed the commissioner these is-
...sues have been normally dealt with in the
...city/county liaison and asked if the commis-
...sioners wanted to go that route.
...MOTION BY BOGAR, 2ND BY CYMBALUK to
...refer this issue to the City/County Liaison so
...we can work to a resolution to work together
...with the County/City.
...AYE: Bogar, Klug, Cymbaluk, Koeser
...NAY: None
...ABSENT AND NOT VOTING: Bekkedahl
...CARRIED: 4-0
...B. Letter from the ND Dept. of Agriculture to
...Sample and Sell Wine at the May 7th Event;
...Williston Rec. Center
...Kautzman informed the commissioners this is
...basically the issue that is listed under Ord-
...inance, which needs to be dealt with before
...May 7th. Klug suggested approving this one
...event, and deal with others as they come
...across. Kautzman replied that there is not an
...ordinance right now to approve one event,
...other than a special event type license, that is
...the reason for the ordinance change. Koeser
...explained that this does not have to go
...through the commissioner voting process,
...they will be notified to go through the licens-
...ing process.
...C. Request by Gate City Bank to Rope Off
...City Owned Parking Lot North of Bank For a
...Few Days for Construction Purposes.
...Koeser asked Meiers if we saw a problem
...with this. Meiers expressed concern that this
...parking lot is used a lot. This parking lot will
...be blocked off for four days to get the ma-
...sonry work done.
...MOTION BY CYMBALUK, 2ND BY BOGAR to
...allow the request to have the parking lot
...blocked off.
...AYE: Bogar, Klug, Cymbaluk, Koeser
...NAY: None
...ABSENT AND NOT VOTING: Bekkedahl
...CARRIED: 4-0
...8. Report of Commissioners
...A. President of the Board
...1. Letter from the Director - U.S. Census Bu-
...reau
...Koeser summarize the letter which basically
...said they will be conducting a 2010 Census
...Count Question Resolution Program between
...June 1, 2011 and June 1, 2013. This pro-
...gram allows the state, local and tribal officials

...would be done as a separate matter, so it
...wouldn't hold up the project, but then we
...would look to annex to the east of this, which
...would be separate. There may be some who
...have objections, concerns and that way we
...are satisfying what the township and county
...as to what they are asking. If no one com-
...plains, this will move fast and if there are con-
...cerns a process needs to gone through and
...this is why the resolutions are listed sepa-
...rately. Kautzman explained that the commis-
...sions have the strip annexation, not the fill in
...resolution. At the request of the township, we
...would come back before the end of the year
...where we would have our resolution and then
...comply with the the request for a fill in resolu-
...tion to take larger blocks of area. The town-
...ship would be at the Annexation hearing
...when we are in front of Schlumberger and
...there would be a pre-hearing with them
...where they would agree to support this. Koeser
...had Meiers point out the areas on map
...that would like to be annexed. These are:
...Schlumberger, Sande Subdivision, Baker
...Hughes, Harvest Hills, Horob. Cymbaluk was
...concerned about the road conditions is some
...of these areas and who will take this over.
...Kautzman informed the commission the city
...has met as a budget committee with Monte
...being asked to list the projects and time line
...with the budgeted amount of 89 million dol-
...lars, with this a 2011 scenario this would go
...to 29 million dollars. House Bill 1013 did pass
...and we are hoping that we can get a large
...amount of the 35 million dollars has been al-
...located to 3 cities to share in the state. There
...is also talk of a tax anticipation bond issue.
...Cymbaluk questioned what would happen if
...we get the funding, but in the future if the
...road becomes damaged again, if we have to
...pay for it again. Kautzman answered we can
...always assess a roadway. Meiers explained
...the we have 3 ? million in the budget for the
...road by Lindsey Equipment, with 3 million be-
...ing put in a possible 20 million grant upfront.
...MOTION BY BOGART, 2ND BY KLUG to ap-
...prove Resolutions No. 11-24, 11-25, 11-26,
...11-29, 11-30
...9. Railroad Park Maintenance
...Kautzman informed the commissioners he
...had received a number of concerns about
...trash in the park. He shared with the commis-
...sioners pictures from Economic Develop-
...ment. Kautzman is requesting the attorney
...draw up a legal ordinance which says when
...we are asked to clean this up and maintain it,
...we could also assess back against the bars in
...the two block area. We could bill it back at the
...end of the year to the 5 bars in the area and
...they could share in the cost of cleanup,
...where all the litter is coming from. Cymbaluk
...asked if something could be done regarding
...their liquor licenses and Furuseth will look
...into this.
...10 -11. Resolutions No. 11-31 - 11-32-Resolu-
...tions authorizing filing of application with
...ND Dept. of Health for a Loan Under Clean
...Water Act
...Kautzman requested that the commissions al-
...low him to proceed with the possibility of a
...loan Application for the west sewer extension
...phase 1. It depends on what is done next
...meeting about the resolutions for annexation
...on whether we would move this ahead and
...also needs discussion between Bekkedahl,
...Koeser, Kautzman has to what portion of
...grant money would be used. There is no
...need to do a loan, if we get grant money. The
...state needs to know that we have grant
...money to extend the infrastructure out to sup-
...port the industry such as Schlumberger.
...Kautzman suggested that we wait on the ap-
...plication and package it all next meeting.
...B. Attorney
...C. Director of Public Works/City Engineer
...1. Corp of Engineers License

...item had several amendments, but two com-
...panies. First one is the Sanderson Stewart
...Amendment #1. Originally we signed with
...them to strengthen the flows in the East
...Broadway industrial park. Since then, we
...found out we are on Corp of Engineers land
...and we are trying to get an easement for that.
...Halliburton is now developing a chemical
...building in the area and they requested we
...extend this water main. The amendment is to
...increase the contract by \$31,600. Meiers sug-
...gested that we could amend one of the dis-
...tricts and assessing some of that cost out to
...the whole area, because this does provide an
...additional benefit to them. The commission-
...ers supported that money, if we go that direc-
...tion.
...MOTION BY CYMBALUK, 2ND BY BOGAR to
...approve the contract with Sanderson
...Stewart.
...AYE: Bogar, Klug, Cymbaluk, Koeser
...NAY: None
...ABSENT AND NOT VOTING: Bekkedahl
...CARRIED: 4-0
...Meiers informed the commissioners of the
...three areas they are working on with the Ack-
...erman Estvold. We are trying to get
...water/sewer to the Marburger and the Vizina
...annexation. Since there are no roads there
...now, we need to acquire right-of-way and
...contract with them to a preliminary engineer-
...ing report. They came back with two amend-
...ments one to do the right-of-way report and
...one for the final design. Meiers reduced this
...down to one amendment, which we need to
...pursue. Cymbaluk questioned the final costs
...of these projects. Meiers replied that the Viz-
...ina project would cost \$80,300, Marburger -
...\$74,500 and West Highland Drive road ex-
...pansion - \$13,000.
...MOTION BY BOGAR, 2ND BY CYMBALUK to
...approve the engineering amendments with
...Ackerman Estvold not to exceed \$167,800.
...AYE: Bogar, Klug, Cymbaluk, Koeser
...NAY: None
...ABSENT AND NOT VOTING: Bekkedahl
...CARRIED: 4-0
...6. Pickup Ad for Bid (Sewer Dept.)
...Meiers requested ad for bids for a ? ton
...pickup which would open April 26th at 3PM.
...MOTION BY BOGAR, 2ND BY CYMBALUK to
...approve the bid opening.
...AYE: Bogar, Klug, Cymbaluk, Koeser
...NAY: None
...ABSENT AND NOT VOTING: Bekkedahl
...CARRIED: 4-0
...7. 4th Street Water Main Replacement
...Meiers requested ad for bids for Street Water
...Main Replacement for Project No. 178 to go
...out May 12th at 3PM at City Hall.
...MOTION BY CYMBALUK, 2ND BY BOGAR to
...the bid opening.
...AYE: Bogar, Klug, Cymbaluk, Koeser
...NAY: None
...ABSENT AND NOT VOTING: Bekkedahl
...CARRIED: 4-0
...D. Fire Chief
...1. Briefing on Flood Response
...MOTION BY CYMBALUK, 2ND BY BOGAR to
...take this item off the agenda and table it
...until January.
...AYE: Bogar, Klug, Cymbaluk, Koeser
...NAY: None
...ABSENT AND NOT VOTING: Bekkedahl
...CARRIED: 4-0
...E. Chief of Police
...1. Permission to call for bids on two police ve-
...hicles.
...Lokken requested permission to call for bids
...on two police vehicles with bids opening May
...3rd, 2011. Two requests, one straight off pur-
...chase and the other would be for if they wish
...to take trades on a 2008 and 2009 Chevy Im-
...pala.
...MOTION BY BOGAR, 2ND BY CYMBALUK to
...call for bids on two police vehicles.

...sneim subdivision and vacating of public right
...of way - Noble Casing, Inc.
...Jarick recommended to the City Commission
...approval of the preliminary plat of Lot 2R,
...Block 4 and the vacating of the existing alley
...of Block 4 Borsheim Subdivision containing
...approximately 5.6 acres. Contingent items
...addition 7 feet or wider right-a-way on 49th
...Street, non protest future annexation, non
...protest future street improvements and final
...plat requirements.
...MOTION BY CYMBALUK, 2ND BY BOGAR to
...approve the Preliminary Plat for Lot 2R, Block
...4, Borsheim Subdivision and vacating of pub-
...lic right of way - Noble Casing, Inc. with the
...recommendations of the City Planner.
...AYE: Bogar, Klug, Cymbaluk, Koeser
...NAY: None
...ABSENT AND NOT VOTING: Bekkedahl
...CARRIED: 4-0
...5. Review Development Plan for Herron Sub-
...division - Envision Land & Development, Inc.
...This subdivision is for 18 single family lots.
...The Development Plan Agreement was re-
...viewed by Cymbaluk, Kautzman, Klug,
...Meiers, Laim, Jarick with a recommendation
...of approval of the revised development
...agreement for the Herron Subdivision to the
...City Commission.
...MOTION BY BOGAR, 2ND BY CYMBALUK to
...approve the Development Plan for the Herron
...Subdivision.
...AYE: Bogar, Klug, Cymbaluk, Koeser
...NAY: None
...ABSENT AND NOT VOTING: Bekkedahl
...CARRIED: 4-0
...MOTION BY CYMBALUK, 2ND BY KLUG to
...amend this agreement from an avocable line
...of credit to an irrevocable line of credit.
...AYE: Bogar, Klug, Cymbaluk, Koeser
...NAY: None
...ABSENT AND NOT VOTING: Bekkedahl
...CARRIED: 4-0
...H. Economic Development
...I. Airport
...1. Airport Parking Rules Changes
...Kjergaard presented the Stoulin Field Interna-
...tional Airport Parking Rules and Regulations
...that he would like to put in place starting July
...1st, 2011. Kjergaard explained to the com-
...missioners that for 14 days, anyone can park
...at the airport for free and after 14 days, the
...individual needs permission from the airport
...manager. Also, after 14 days or if parked out-
...side the assigned spaces, the airport re-
...serves the right to tow the vehicle. Also, no
...large commercial vehicles are allowed on the
...airport parking lot. Kjergaard will have em-
...ployees going out daily to mark tires to see
...how long they have been there. Klug ques-
...tioned if a tag could be given to the individual
...to put on their window and Kjergaard re-
...sponded that it is too difficult to get people to
...do this. When the vehicle is parked there 14
...days and over, there would be something that
...could be placed on the dashboard that states
...they are here until this date. Klug questioned
...if there would be a long term parking area
...and Kjergaard responded this would be in the
...newer parking lot area. Koeser was wonder-
...ing about additional parking and Kjergaard re-
...sponded that after the runway work is com-
...plete, they will put gravel on a section of
...grass on the north side and then marking off
...additional parking. Steven Belo mentioned in-
...stead of towing, why not use Denver boots
...that lock the front wheels so the person
...wouldn't have to hassle with their vehicle be-
...ing impounded, they could just pay the fine.
...Klug commented that the airport parking lot is
...out of space and that is why the vehicles
...need to be moved. Meiers asked if there were
...going to be signs on the parking lot regarding
...the 14 day rule. Kjergaard responded that he
...will mark the start and the end of the 14 day
...parking lot and the 14 day rules will be posted

...dication of Intestacy, Determination of Heirs,
...and Appointment of Personal Representative
...with the District Court of Williams County,
...North Dakota.
...Hearing upon said petition will be held on the
...15th day of June, 2011, at 9:00 a.m., in the
...Courtroom of the Williams County District
...Court, before the Honorable David W. Nel-
...son, District Court Judge, at the Williams
...County Courthouse in Williston, North Da-
...kota, at which time objections to said petition
...will be heard.
...Dated this 9th day of May, 2011.
...CROWLEY FLECK PLLP
...Attorneys for Petitioner
...111 East Bdwy. - PO Box 1206
...Williston, ND 58802-1206
...By: /s/ JENNIFER M. NASNER
...Jennifer M. Nasner
...ND Bar ID #06205
... (May 12, 19, 26, 2011)

...STATE OF NORTH DAKOTA
...IN DISTRICT COURT
...COUNTY OF BURLEIGH
...SOUTH CENTRAL JUDICIAL DISTRICT
...NOTICE OF APPOINTMENT AS
...TRUSTEE AND NOTICE TO
...FILE CLAIMS
...Civil No. 08-2011-1-CV-00917
...Public Service Commission,)
...Petitioner,)
...vs.)
...Mitchell Feeds, Inc.)
...and)
...Western Surety Company)
...Respondents.)
...PSC Case No. GE-11-S1)
...PLEASE TAKE NOTICE
...that on May 10, 2011,
...the SOUTH CENTRAL JUDICIAL DISTRICT
...COURT appointed the Public Service
...Commission Trustee of Mitchell Feeds, Inc.
...under North Dakota Century Code
...Chapter 60-02.1 for the benefit of outstanding
...receipt holders of Mitchell Feeds, Inc.
...The Order was filed May 10, 2011.
...FURTHER, PLEASE TAKE NOTICE THAT:
...1. Any person having a claim against Mitchell
...Feeds, Inc. for the non-payment of grain
...purchased or marketed by Mitchell Feeds, Inc.
...in North Dakota, shall file the claim with the
...Public Service Commission,
...600 East Boulevard Avenue,
...Department 408,
...Bismarck, North Dakota
...58505-0480.
...2. Claims must be filed within forty-five (45)
...days after the last publication of this notice.
...3. Any person filing a claim with the Public
...Service Commission shall include receipts or
...sufficient documentation to enable the
...Commission to determine the validity of the
...claim. This could include unsatisfied scale
...tickets or other memoranda given by the
...grain buyer for, or as evidence of, the receipt
...or sale of grain, dishonored checks, or any
...related contracts.
...4. Unless a claim is filed with the Public Ser-
...vice Commission within the time specified,
...the claimant may be barred from participation
...in the trust fund.
...Bismarck, North Dakota, this 20th day of
...May, 2011.
...By: /s/ MARK GRUMAN
...Illona A. Jeffcoat-Sacco (ID No. 03315)
...Mark Gruman (ID No. 06019)
...Special Assistant Attorneys General
...State Capitol - 12th Floor
...600 East Boulevard Ave - Dept 408
...Bismarck, North Dakota 58505-0480
...Telephone (701) 328-2400
...Facsimile (701) 328-2410
...Attorneys for the Public Service Commission
... (May 26, June 2, 2011)

5/26 Williston