

**PUBLIC NOTICES**

**OFFICIAL PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS OF EMMONS COUNTY NORTH DAKOTA AT ITS REGULAR MEETING May 2, 2012**

Chairman Francis W. Lawler called the meeting to order at 10 a.m. with Commissioners Gary Keller, Jeffrey J. Magrum and Alvin M. Tschosik being present. Commissioner Hummel was absent at this time. Also present was States Attorney Donald R. Becker.

Motion by Commissioner Keller to approve the minutes of the April 3, 2012, regular meeting. Seconded by Commissioner Tschosik. Roll call "YES": Keller, Magrum, Tschosik and Lawler. Motion carried.

Commissioner Hummel entered the meeting at this time.

The April 2012 end-of-month fund balance report and the year-to-date expenditure report were distributed to the board.

Commissioner Keller motioned to approve a permit for BEK Communications to bury fiber optic cable within Emmons County Right-of-Way for the 2012 OSP Construction FTTP, Sterling Exchange and McKenzie Exchange projects. Seconded by Commissioner Tschosik. Roll call "YES": Hummel, Keller, Magrum, Tschosik and Lawler. Motion carried.

Commissioner Keller motioned to approve a building permit for Verizon Wireless for co-location of wireless communication antennas and the installation of an unmanned equipment shelter within the fenced compound on part of the NE1/4, NW1/4 of Section 25, Township 131, Range 76. Seconded by Commissioner Hummel. Roll call "YES": Hummel, Keller, Magrum, Tschosik and Lawler. Motion carried.

Commissioner Hummel motioned to approve the application and issue a liquor license to Hal F. Rosenbluth, DBA "The Rivery." Seconded by Commissioner Keller. Roll call "YES": Hummel, Keller, Magrum, Tschosik and Lawler. Motion carried.

The board determined that a Title VI program is not needed.

Motion by Commissioner Hummel to approve a building permit for C & L Properties, Curt Reeve, to erect a detached 40 x 50 shop with a 16 x 20 sunroom on Lot 35 & 36, Beaver Bay Subdivision in Section 23, Township 132, Range 79. Seconded by Commissioner Tschosik. Roll call "YES": Hummel, Keller, Magrum, Tschosik and Lawler. Motion carried.

Motion by Commissioner Hummel to approve a building permit for Gerald and Michelle Vetter to move a home from Section 17, Township 133, Range 79 to Auditor's Lot B in the SW1/4 of Section 32, Township 131, Range 79. Seconded by Commissioner Tschosik. Roll call "YES": Hummel, Keller, Magrum, Tschosik and Lawler. Motion carried.

Motion by Commissioner Tschosik to approve a Gaming Site Authorization beginning July 1, 2012, and ending on June 30, 2013, for the American Legion Post 54 at the location described as Bayside Resort, 8049 Highway 1804, Linton, N.D. Seconded by Commissioner Magrum. Roll call "YES": Hummel, Keller, Magrum, Tschosik and Lawler. Motion carried.

Motion by Commissioner Keller to approve a building permit for Jeff and Donna Magrum to install RV hookups at Outlet B in the NE1/4 of Section 24, Township 135, Range 79. Seconded by Commissioner Magrum. Roll call "YES": Hummel, Keller, Magrum, Tschosik and Lawler. Motion carried.

At 10:15 a.m. a joint meeting of the County Commissioners and County Park Board members was held. Present were Commissioners Dennis J. Hummel, Gary Keller, Francis W. Lawler, Jeffrey J. Magrum and Alvin M. Tschosik; County Park Board Chairman Andy Reis,

and County Park Board member Dean Weiss. Also present were Korlene Schmidt representing the Kintyre City Park Board, Hadley Seeklander representing the Hazelton City Park Board and Emmons County States Attorney Donald R. Becker.

County Park Board Chairman Andy Reis called the meeting to order. County Auditor Marlys Ohlhauser presented a copy of the County Park revenues and disbursements for the period of April 31, 2011, through May 1, 2012:

Beginning Balance—  
April 31, 2011 .....\$20,692.50  
Revenues .....24,368.77  
Disbursements..... 14,239.10  
Ending Balance—  
May 1, 2012.....\$30,822.17

Donald R. Becker motioned to approve the minutes of the May 3, 2012, meeting. Seconded by Alvin M. Tschosik. All members voting "YES."

Board members reviewed requests received from various park boards for 2012 funding.

Dean Weiss suggested shutting down Langeliers Bay Fishing Station due to the operating costs involved when other parks are in need of funding also.

Hadley Seeklander reported on the repairs and updates done to the Hazelton City Park.

\$5,000 will be transferred from the County Park Fund into the Road District Fund for reimbursement of the Langelier's Bay Chip Seal project. It was noted that the original reimbursement agreement was \$5,000 for five years and 2012 would be the fourth year that \$5,000 was actually transferred into Road District which would leave one more remaining payment.

Sam Renschler is maintaining the Langelier's Bay campground and restroom facilities for a fee of \$100 per trip, five times a week or as needed. The trash bags and toilet tissue is being supplied by the County Park fund.

County Park Board Chairman Andy Reis and County Park Member Dean Weiss requested to waive their salaries, mileage reimbursement and workers compensation.

Commissioner Keller motioned to allocate \$1,700 to Braddock, Linton, Hazelton, Hague and Kintyre City Parks and \$850 to the Strasburg City Park and Strasburg Park Expansion. Seconded by Commissioner Magrum. All members voting "YES."

Donald R. Becker motioned to adjourn. Seconded by Commissioner Magrum. The meeting adjourned at 10:45 a.m.

At 10:45 a.m., the Board of County Commissioners reconvened in regular session.

States Attorney Donald R. Becker explained the policy and procedures outlined in Article VIII, IX and X of the Emmons County Zoning Ordinance Policy pertaining to Subdivisions prior to approving a Plat.

The board recessed for lunch and reconvened at 1 p.m.

Kenneth Brendel, road and shop foreman, reported on the activities of the county road department.

Commissioner Lawler motioned to cut grade on the road located on Section 35 and 36, Township 133, Range 76. Seconded by Commissioner Hummel. Roll call "YES": Hummel, Keller, Magrum, Tschosik and Lawler. Motion carried. Present for discussion was Herb Bargmann, Wold Engineering, P.C.

Motion by Commissioner Hummel to award the contract to Rachel Contracting, Inc., and enter into an agreement with Rachel Contracting, Inc. in the amount of \$261,223.10 with a credit to Emmons County for 6,275 total tons of gravel at a unit price credit of \$6.25 per ton equaling a total savings of \$39,218.75 for the Base Bid, Option 1 and Option 2 for road project SRF-0015(16), Cattail Bay Road. Seconded by Commissioner Magrum. Roll call "YES": Hummel, Keller, Magrum, Tschosik and Lawler. Motion carried. Present for discussion was Darris Job, Wayne Jahner and Tony Splonskowski, Voices for Lake Oahe members.

Motion by Commissioner Keller to approve the Road Maintenance Agreement between

Campbell Township and Emmons County for the following services: Road Grading Services \$260.00 per mile; Road Snow Removal \$140.00 per hour.

Agreement is effective April 1, 2012, and shall continue until March 31, 2013. Seconded by Commissioner Tschosik. Roll call "YES": Hummel, Keller, Magrum, Tschosik and Lawler. Motion carried.

Motion by Commissioner Tschosik to enter into an agreement with the North Dakota Department of Transportation for Project No. SHE-1-083(116)024, install intersection lighting on Intersection US Highway 83 and East Junction of ND Highway 13. Seconded by Commissioner Magrum. Roll call "YES": Hummel, Magrum, Tschosik and Lawler; "NO": Keller. Motion carried. The utilities expense is to be paid out of the 911 fund.

Brent Hummel reappeared to again inquire about building a suitable road in the rural Hague area. The board emphasized all the roadwork and road projects that need to be completed this 2012 construction season and this project is included on their priority list.

Motion by Commissioner Tschosik to enter into a Construction Engineering Service Agreement with Kadmas Lee and Jackson for Bridge Project BRO-0015(015), Vetter Bridge. Seconded by Commissioner Magrum. Roll call "YES": Hummel, Keller, Magrum, Tschosik and Lawler. Motion carried.

The following payroll and expense for reimbursement vouchers were examined, approved and ordered paid:

General—payroll \$51,878.97, expense for reimbursement \$577.92; Highway Tax—payroll \$25,123.93, expense for reimbursement \$199.20; Human Service—payroll \$11,870.81, expense for reimbursement \$289.32; 911—payroll \$800.00; State Grant—payroll \$237.62; Linton City Police Contract—payroll \$1,641.57; County Jail—payroll \$45.00.

The following vouchers were reviewed and approved for payment:

MDU, utilities \$81.87; Bio Master of ND, service \$36.00; Brown & Saenger, supplies \$483.67; Centre, Inc., community service program \$1,200.00; Emmons County Publishing, publishing \$620.74; Jerome Distributing, water refills \$23.00; City of Linton, courthouse water bill \$56.82; Matthew Bender & Co., Century Code updates \$580.63; ND Sheriffs & Deputies Association, 2012 sheriff dues \$50.00; Owen G. Dunn Co., Inc., election supplies \$62.40; Quartermaster, uniform and sheriff supplies \$812.84; Kenneth Brendel, cell phone reimbursement \$38.89; Butler Machinery Co., part/labor \$3,360.95; Centerline Tank & Trailer, parts \$358.80; Farmers Elevator, seed \$135.00; Farmers Union Oil Corp., bulk oil \$1,572.80; Hedahl's Inc., parts/supplies \$151.78; Jack's Electric & Trenching, service \$65.00; John Deere Financial, equipment lease payment \$14,872.28; Martin Oil Co., fuel \$9,991.70; Michael Todd & Company, supplies \$553.27; Michael Wickenheiser Construction, material/labor \$157.24; NoDak Ranch & Home, supplies \$495.32; ND DOT, road oil \$4,619.12; ND State Surplus Property, tools \$17.00; Northern Plain Co-op, fuel \$6,454.37; OK Tire Store, o-ring \$27.60; Paccar Financial Corp., documentation fee \$350.00; Payment Remittance Center, gas, fuel, supplies \$9,208.60; Pfeifle on 83, parts/oil change \$174.07; R & K Equipment, part \$6.64; Roll On Tire Center, tire repair \$90.00; Eric Schmidt, mileage \$138.72; City of Strasburg, water bill \$111.00; Wallwork Truck Center, parts \$8,216.48; Donald R. Becker, expense reimbursement \$26.00; Information Technology Dept., internet access \$462.20; Tower Communications, tower rent \$200.00; Ampride, gas \$162.67; Burleigh County Auditor, prisoner billing \$195.00; Payment Remittance, gas, fuel, supplies \$505.33; Uniform Center, badges \$291.99; BEK Communications, fax/mail transmission \$95.00; NDACO, wireless collections

\$427.99; Emmons County, energy grant \$2,110.21; K & H Electric, Inc., parts and service \$1,242.50; Arlen A. Burgad, fence removal \$3,425.00; Ray J. Volk, fence removal \$1,332.50; ND Job Service, statement of benefits \$4,700.00; Braddock Park Board, county contribution \$1,700.00; Hague Park Board, county contributions \$1,700.00; Hazelton Park Board, county contribution \$1,700.00; Kintyre Park Board, county contribution \$1,700.00; Linton Park Board, county contribution \$1,700.00; City of Strasburg, county contribution \$850.00; Strasburg Park Expansion, county contribution \$850.00; AT&T, cell service \$134.42; Cole Papers, supplies \$448.58; Dockter's Blacksmith, service \$68.00; Emmons County Treasurer, current expense \$443.79; Fireside Office Products, supplies \$54.82; MDU, utilities \$912.91; Office Depot, supplies \$884.71; Payment Remittance Center, gas, fuel, supplies \$1,322.23; Wallwork Truck Center, down payment on 2013 Kenworth \$23,762.42; Payment Remittance Center, gas, fuel, supplies \$510.99; Payment Remittance Center, gas, fuel, supplies \$502.48; BEK Communications, telephone service \$977.45; Verizon Wireless, cell service \$32.47; KEM Electric, utilities \$166.62.

There being no further business before the board, Commissioner Hummel motioned to adjourn. Seconded by Commissioner Keller. The meeting adjourned at 5:20 p.m.

Approved: June 6, 2012.

-s-F.W. LAWLER  
Francis W. Lawler  
Chairman, Board of  
County Commissioners

-s-MARLYS OHLHAUSER  
Marlys Ohlhauser  
Emmons County Auditor  
(June 14)

**OFFICIAL PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS OF EMMONS COUNTY NORTH DAKOTA AT ITS SPECIAL MEETING May 29, 2012**

Chairman Francis W. Lawler called the meeting to order at 9:45 a.m. with Commissioners Gary Keller, Jeffrey J. Magrum and Dennis J. Hummel (by phone) being present. Commissioner Tschosik being absent.

Motion by Commissioner Magrum to approve the application and issue a liquor license to Laura and Lonnie Schiermeister DBA Big Joe's Restaurant for June 2 and 3, 2012. Site location is on the Florence Fisher Farmstead, SE1/4 of Section 32, Township 134, Range 75. Seconded by Commissioner Keller. Roll call "YES": Hummel, Keller, Magrum and Lawler. Motion carried.

There being no further business before the board, Com-

missioner Magrum motioned to adjourn. Seconded by Commissioner Hummel. The meeting adjourned at 9:50 a.m.

Approved: June 6, 2012

-s-F.W. LAWLER  
Francis W. Lawler  
Chairman, Board of  
County Commissioners

-s-MARLYS OHLHAUSER  
Marlys Ohlhauser  
Emmons County Auditor  
(June 14)

**OFFICIAL PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS OF EMMONS COUNTY NORTH DAKOTA AT ITS SPECIAL MEETING June 1, 2012**

Chairman Francis W. Lawler called the meeting to order at 3:30 p.m. with Commissioners Gary Keller, Jeffrey J. Magrum and Alvin M. Tschosik being present. Commissioner Hummel being absent. Also present was Ernie Geffre, road department employee.

The reason for the meeting was to discuss road department matters.

Intense discussion was held because the Chairman and Vice Chairman have been discussing road department matters and making decisions without the full consent of the board. One example given was at the March 6, 2012, Commissioners meeting, a motion was passed to lease purchase with option to buy a 2012 John Deere Motor Grader and advertise to sell the 2007 John Deere Grader privately for \$175,000. On May 29, 2012, the Chairman and Vice Chairman met and decided to go against the motion and trade in the 2007 John Deere Grader instead of advertising it privately. The reason that the Chairman and Vice Chairman had this discussion was because the 2007 John Deere Grader broke down and the warranty had expired. Commissioner Magrum stated that RDO gave him an approximate estimate of \$2,400 to repair the Grader. No motion was made and the previous motion passed at the March 6, 2012, meeting still stand. The blade is being repaired and will be advertised to sell at a later date.

It was noted that the U.S. Army Corps of Engineers installed and padlocked a gate on the Badger Bay Road and gave the landowners keys. Don Becker is checking the law on this matter.

There being no further business before the board, Commissioner Keller motioned to adjourn. Seconded by Commissioner Magrum. The meeting adjourned at 4:30 p.m.

Approved: June 6, 2012

-s-F.W. LAWLER  
Francis W. Lawler  
Chairman, Board of  
County Commissioners

-s-MARLYS OHLHAUSER  
Marlys Ohlhauser  
Emmons County Auditor  
(June 14)

**STRASBURG PUBLIC SCHOOL BOARD SPECIAL MEETING STRASBURG, NORTH DAKOTA May 29, 2012 (Unapproved Minutes)**

A special meeting of the Strasburg Public School Board was called to order by President Duane Ternes on May 29 at 8 p.m. Other members present were Ida Scherr, Tom Schaeffbauer, Bernice Keller and Tony Roth. Daren Kurle and Patty Hardesty present.

Tommy Schaeffbauer moved to approve the agenda of the special meeting as presented. Ida Scherr seconded. All voting yes, motion carried.

Discussed hiring a new superintendent/elementary principal. Received six applications for the superintendent/elementary principal position. Also received three applications for superintendent with high school principal and received four applications for elementary principal/teacher. Ida Scherr reported that some of the applicants for the superintendent/elementary principal position have been here for interviews. Discussion was had on their qualifications, references, etc. Also discussed was some have taken a job elsewhere.

Mr. Kurle reported we are still advertising for a music teacher. He had one applicant inquire about the music position but took another job and he has one other applicant for the music position with elementary principal. Discussion was had on maybe a part-time superintendent.

It was decided to have another meeting next week, June 5, at 8 p.m. to discuss these items again.

Tony Roth made a motion to adjourn the meeting. Seconded by Tommy Schaeffbauer. All voting yes, motion carried.

Duane Ternes  
President

Terri Kuss  
Business Manager  
(June 14)

**PUBLIC HEARING ON COMMUNITY DEVELOPMENT BLOCK GRANT**

The city of Linton will be holding a public hearing on community development at 5 p.m. on Monday, July 2, 2012, at the Linton city offices, 101 1st St. NE, Linton, North Dakota 58552.

The purpose of the hearing is to review the performance of the city in carrying out its Community Development Block Grant program, particularly regarding the senior center rehab project.

Anyone wishing to comment may do so orally or in writing at the time of the hearing. (June 14)

**STATE OF NORTH DAKOTA PUBLIC SERVICE COMMISSION**

- Public Service Commission  
Case No. PU-12-162  
Public Utilities  
Rulemaking
- Public Service Commission  
Case No. PU-12-165  
Siting  
Rulemaking
- Public Service Commission  
Case No. RC-12-166  
Reclamation  
Rulemaking

**NOTICE OF INTENT TO AMEND ADMINISTRATIVE RULES NOTICE OF PUBLIC HEARING**

May 30, 2012

TAKE NOTICE that the Public Service Commission will hold a public hearing to address proposed amendments to the N.D. Admin. Code, relating to public utilities, energy conversion and transmission facility siting, and surface coal mining and reclamation operations.

The public hearing will be held at 10:00 a.m., July 12, 2012, in the Commission Hearing Room, 12th floor, State Capitol, Bismarck, North Dakota. Written comments may be submitted to the Public Service Commission until the close of business on July 23, 2012.

A copy of the proposed rules may be obtained from the Public Service Commission, 600 East Boulevard Avenue, Department 408, Bismarck, North Dakota 58505-0480, 701-328-2400, toll free 1-877-245-6685, Relay North Dakota TTY: 1-800-366-6888, or NDPS@ND.gov. This information is also available to view on the Public Service Commission's web site at www.psc.state.nd.us under "Formal Actions/Case Search".

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**  
Kevin Cramer, Commissioner; Tony Clark, Chairman; Brian P. Kalk, Commissioner