




Affidavit of Publication

Hannah Hertz, being duly sworn, states as follows:

1. I am the designated agent, under the provisions and for the purposes of, Section 31-04-06, NDCC, for the newspapers listed on the attached exhibits.
2. The newspapers listed on the exhibits published the advertisement of: **Public Service Commission, Clyde Eisenbeis Case No. RC-22-339, 2** time(s) as required by law or ordinance.
3. All of the listed newspapers are legal newspapers in the State of North Dakota and, under the provisions of Section 46-05-01, NDCC, are qualified to publish any public notice or any matter required by law or ordinance to be printed or published in a newspaper in North Dakota.

Signed: 

State of North Dakota

County of Burleigh

Subscribed and sworn to before me this 7th day of September, 2022.



SHARON L. PETERSON
 NOTARY PUBLIC
 STATE OF NORTH DAKOTA
 MY COMMISSION EXPIRES NOV. 08, 2025

Public Notices

STATE OF NORTH DAKOTA PUBLIC SERVICE COMMISSION

Clyde Eisenbeis
Case No. RC-22-339
Complaint
NOTICE OF FORMAL HEARING
August 8, 2022
Preliminary Statement

The Public Service Commission (Commission) received a Formal Complaint on August 3, 2022, a revised Formal Complaint on August 4, 2022, and a request for a Formal Hearing on August 5, 2022, from Clyde Eisenbeis, Allen Eisenbeis, and JoAnn Crabtree (Eisenbeis family) who own land adjacent to The Coteau Properties Company's Freedom Mine Surface Coal Mining Permit No. NACT-9501 that covers 6,525.7 acres of land located in portions of Sections 30, 31, and 32, T146N, R87W; Sections 14, 15, 16, 22, 23, 25, 26, 27, 34, 35, and 36, T146N, R88W in Mercer County. Permit No. NACT-9501 was approved by the Public Service Commission on April 3, 1996. All coal has been removed and the permit is in reclamation status.

The Eisenbeis family alleges the mine installed a path for surface water to flow onto their property in the NW1/4 of Section 34, T146N, R88W; the mine restricted access to farmland by modifying the county road ditch and diversion outside the permit area without proper permits; that pond overflows and discharges caused erosion and flooding; that mine operations resulted in the loss of acreage and crop income; that surface water from ponds and discharges is seeping into the groundwater which is raising the water table and contaminating the aquifer with sulfur; and other related concerns as stated in the August 4th Formal Complaint. The complaint cites North Dakota Century Code 38-14.1-01, 38-14.1-01(1), 38-14.1-02, 38-14.1-02(17), 38-14.1-02(19), 38-14.1-02(34), 38-14.1-02(35)(a) and (b), 38-14.1-14, 38-14.1-14(1), 38-14.1-21(3)(c), 38-14.1-24, and 38-14.1-24(8); North Dakota Administrative Code 69-5.2-01, 69-05.2-01-02, and 69-05.2-01-02(1); and Policy Memorandum 6, Activities Covered by Surface Coal Mining Permits.

Notice of Formal Hearing

Notice is hereby given that the captioned matter is set for a Formal Hearing, commencing at 8:30 a.m. CST, on September 1, 2022, 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

Steven Kahl
Executive Director

City of Zap Special Meeting #2 8/8/2022

Meeting called to order by Mayor Mike Dutton at 7:07pm. Members present were Joe Grammond, Rhonda Pfenning, Tamara Gillig, Roy Entze and City Auditor Cynthia Zahn.

Motion by Gillig, second by Grammond to put ad in paper for City Maintenance position. Roll call vote. All in favor.

Motion by Grammond second by Gillig to adjourn. Meeting adjourned at 7:34 pm. Roll call vote. All in favor.

Respectively submitted pending approval by the Council by: Mike Dutton, Mayor (08-15-2022)

Killdeer Public School Regular Board Meeting Wednesday, August 10, 2022

President Kukla called the meeting to order at 7:02 pm. Board members in attendance were Scott Bice and Levi Bang. Also in attendance were Superintendent Jeff Simmons, Business Manager Rhonda Zastoupil, Andrew Cook, Karter Kleeman, Nick Dukart and Nick Walker. Patrons in attendance were Curt Janssen, Eric Braathen and Matt Oase.

The Pledge of Allegiance was recited.

Mr. Bang moved to set the written agenda and approve the consent agenda with requested changes; second by Mr. Bice. Roll Call Vote: Mr. Bang – yes, Mr. Bice – yes, President Kukla – yes. Motion Carried.

Administrator's Reports:

•Elementary Principal – Andrew Cook

o373 Pre-K – 6th students currently enrolled

oLetters from teachers were mailed home to families

oElementary classroom move is complete. Huge thank you to Nick Dukart and his entire staff for this successful transition.

•High School Principal - Karter Kleeman

o246 currently enrolled in Gr 7-12.

oSchedules were mailed out today

oPre-registration is Aug 15th and 16th

oNew staff training is Aug 17th

oCapturing Kids' Hearts Training is Aug 18th and 19th

oTeacher In-Service is Aug 22nd & 23rd, with the First Day of School Aug 24th

oMr. Kleeman provided a brief overview of the Student Handbook Changes

•Buildings and Grounds – Nick Dukart

oClassroom move going well

oRoof repairs in process with estimated completion next week

oDoors and ramps being installed in the Daycare. Plumbing work is complete.

oThe remaining poles in the old playground location have been removed

oPallets of HS classroom supplies have been moved to the HS.

oTraining on the new cleaning system at the High School is scheduled

oFootball field is ready to go for the season

oMr. Dukart extended appreciation to his entire staff for all their hard work this summer.

oThanks to Phil Dukart for the use of his trailer in moving classrooms to the High School

•Activities Director – Nick Walker

oFall sports are in full swing, with home events starting next week. Sports participation is: Football-25, Cross Country-35, Girls' Golf-6, Volleyball-30+

oStill looking for event workers.

oMr. Walker provided the board with information on the proposed 3 class system.

•Superintendent's Report – Mr. Simmons

oMr. Walker reached out to The Pipe and they provided lunch for the maintenance and custodial staff in appreciation for all their hard work this summer.

oThe new school bus arrived today and cameras are scheduled to be installed

oBoardroom furniture is scheduled to arrive in late August

New Business:

Curt Janssen with Kraus-Anderson Construction was present to provide updates on the High School Project and answer the questions. Mr. Bice moved to approve Kraus-Anderson Pay Application #20 in the amount of \$1,569,971.34, second by Mr. Bang. No further discussion. Roll Call Vote: Mr. Bang – yes, Mr. Bice – yes, President Kukla – yes. Motion Carried.

Curt Janssen with Kraus-Anderson Construction was present to provide details on the High Street roadbed repair. Mr. Bice asked if the City of Killdeer would be willing to share the

cost of the repairs. Matt Oase stated the City of Killdeer would be willing to do so and he will put this on the agenda for the City's meeting next Monday. Mr. Bice moved to approve paying \$30,000.00 for the High Street Roadbed Repair, second by Mr. Bang. No further discussion. Roll Call Vote: Mr. Bang – yes, Mr. Bice – yes, President Kukla – yes. Motion Carried.

Mr. Bice moved to approve the pledge of securities as adequate in accordance with NDCC from our approved depositories, second by Mr. Bang. Roll Call Vote: Mr. Bang – yes, Mr. Bice – yes, President Kukla – yes. Motion Carried.

President Kukla moved to approve the District Handbooks for 2022-2023, second by Mr. Bice. Roll Call Vote: Mr. Bang – yes, Mr. Bice – yes, President Kukla – yes. Motion Carried.

Mr. Bang moved to approve the Consolidated Application for 2022-2023, second by President Kukla. Roll Call Vote: Mr. Bang – yes, Mr. Bice – yes, President Kukla – yes. Motion Carried.

A Joint Powers Agreement between the City of Killdeer and the School for the installation of sidewalks and street lights was presented. Mr. Bang moved

to approve the Joint Powers Agreement with the City of Killdeer, second by Mr. Bice. Roll Call Vote: Mr. Bang – yes, Mr. Bice – yes, President Kukla – yes. Motion Carried.

President Kukla moved to adopt Policy GACG Educational Opportunities Through Sponsoring Entities, second by Mr. Bang. Roll Call Vote: Mr. Bang – yes, Mr. Bice – yes, President Kukla – yes. Motion Carried.

Discussion held regarding pricing of adult meals, second meals, second milks, snack milks. After discussion, the board agreed to not make any changes to the second meal or snack milk fees and to continue to have the district cover the cost as in prior years.

Mr. Bang moved to set the price for second milks/juices at \$.50 for the 22-23 school year, second by President Kukla. No further discussion. Roll Call Vote: Mr. Bang – yes, Mr. Bice – yes, President Kukla – yes. Motion Carried.

Mr. Bice moved to amend the previously approved adult lunch price from \$3.85 to \$4.00 to align with the Department of Public Instruction's requirements, second by Mr. Bang. No further discussion. Roll Call Vote: Mr. Bang – yes, Mr. Bice – yes, President Kukla – yes. Motion Carried.

Eric Braathen, Killdeer City Police Chief, was present to discuss and answer questions regarding the City's request to provide an SRO in the school district. President Kukla and Mr. Bice stressed the importance of ensuring the relationship with Dunn County is maintained. Officer Avalos has built solid relationships with students which has been vital in the successful SRO program. The County, School and City need to work together to ensure the program's continued success. The City is still accepting applications for the position. No board action taken at this time.

Announcements:

1. Grand Opening of High School / Back to School Picnic / HS Open House; August 22, 2022 – 5:00-7:00 PM at High School

2. Next Regular Meeting; September 14, 2022 – 7:00 PM

3. Budget Hearing – September 26, 2022 – 7:00 PM

As there was no further business, President Kukla adjourned the meeting at 8:09 pm.

Pamla Kukla, President
Rhonda Zastoupil, Business Manager

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friends and family*

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THE BEACON

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Is that really happening?

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or on our website to learn more about:

Government meetings, bids & contracts

Foreclosures

Unclaimed property

School Board issues

Elections/Polling places, initiative petitions

Tax assessments/proposals



Public Notices

Mercer County Commission
Special Meeting Minutes
August 8, 2022

The meeting was called to order at 9:00 a.m. by Chairman Travis Frey. Present were Commissioners Wayne Entze, Gene Wolf, Liza Taylor and Marvin Schwehr, Auditor Samantha Melberg, and Deputy Auditor Alice Grinsteiner. Others present during portions of the meeting were Jim Albers and Candy Strand.

Taylor moved to approve the agenda as presented. Entze seconded the motion. All voted aye. Motion carried.

Auditor Melberg presented the preliminary 2023 budget. Mills for 2022 and 2023 were compared for each fund. Some of the funds are over the maximum allowed mills in the first draft of the preliminary budget. Auditor Melberg reviewed the items that will cause the overages such as new boiler in Building and Grounds, cap project at the Landfill, new employee and wage increases in the Sheriff's department and the County Road department budget has almost doubled. Auditor Melberg explained the preliminary budget does include correcting the Tax Director wage and incorporating the Tax Director and Land Use Administrator into one position. The preliminary budget also includes reserve funds for General and County Road departments.

Auditor Melberg explained the new boilers, new EM/911 position, and landfill project places the General fund over in maximum mills.

Discussion was held on how to fund the landfill project. Suggestions for funding included using the landfill closing fund, ARPA funds or a State Revolving Fund loan. The Commissioners also discussed increasing the rates at the landfill as this entity should be self-sufficient.

Candy Strand, Landfill Supervisor, explained the Landfill Operational Fund can be used for the cap project expenses. She also noted rate increases need to be sent to cities in May 2023 so they are able to budget the rate increases in their respective budgets.

Schwehr moved to amend proposed landfill budget line item, Payment to Contractors budget to \$180,000 and add miscellaneous revenue of \$130,000. Frey seconded the motion. All voted aye. Motion carried.

Library fund was reviewed. The fund is funded by Mercer and McLean counties. Any changes to the budget would need consensus from both commissioners.

Frey recessed the Preliminary Budget hearing at 10:30 a.m. and entered into Special meeting.

Jim Albers, Maintenance, explained the building improvement line item has \$80,000 but \$33,930 of that will be used for the sewer project. The proposed flooring project was reviewed. Albers reported the cooler system for the security and server rooms is down and the part to fix the cooler will not be here for six months. At this time, a cooler is being rented until the unit can be fixed. Commissioners agreed to stay with the approved flooring project and wait for other projects until the budget is completed.

The meeting was recessed at 10:42 a.m. The Special Meeting was reconvened at 10:50 a.m. and entered into the Preliminary Budget Hearing. Schwehr reviewed the budgets for Township Roads, Aid to Secondary Road, Unorganized Road and County Road funds. Total for all funds is \$6,674,361.00. Transfers in of funds from the three funds to the County Road fund would put the County Road under the maximum mills. Schwehr suggested the maximum mills for the Road funds be approved for the preliminary budget but there may need to be some more cuts from the budget. Auditor Melberg explained the General Funds needs to be reduced by 12 mills or \$625,428.00 and it does include a reserve of \$1,050,074.00. The budget for the General fund does not include the financing of new tax and financial software. She noted the \$287,871 left in the ARPA funding could be used for the software funding. Discussion was held on various line items in the General fund. The projected 2023 revenue for

Federal prisoners was increased to \$435,000. Entze suggested keeping only one employee in EM/911 as that would save the county \$46,000 next year. Frey suggested the county use their reserve or special funds for large projects such as the new boilers. Wolf was in favor of using the reserve funds as the taxpayers should not be taxed for such large projects.

With the increase of the revenue and using a CD to pay for the new boilers, the General funds was reduced to 58.73 mills. Wolf moved to approve the preliminary budget as amended at the Preliminary Budget Hearing. Taylor seconded the motion. Discussion was held. Schwehr noted that if ARPA funds were not enough for the purchase of new tax/financial software, it should be included in the budget. Vote was held: Wolf-aye, Taylor-aye, Entze-aye, Schwehr-nay, Frey-aye. Motion carried. There being no further business the meeting was adjourned at 12:30 PM. The next regular meeting is scheduled for August 17, 2022, at 9:00 AM in the boardroom of the Mercer County Government Center in Stanton, North Dakota. The meetings can be viewed online at www.mercercountynd.com

Approved: Travis Frey, Chairman

Attest, Alice Grinsteiner, Deputy Auditor
(8-25)

ABREVIATED NOTICE OF INTENT TO AMEND ADMINISTRATIVE RULES

RELATING TO
RADIOLOGICAL HEALTH
**ND Dept. of
Environmental
Quality
("Department")**

will hold a public hearing to address proposed amendments to the N.D. Admin. Code article 33.1-10 at the following time and location:

**2nd Floor Meeting
Room 223
ND Dept. of
Environmental Quality
4201 Normandy Street
Bismarck, ND 58503
Sept. 27, 2022
1:00 p.m. CST**

A copy of the proposed rule amendments may be obtained by writing the North Dakota Department of Environmental Quality, Radiation Control Program at 4201 Normandy Street, Bismarck, ND 58503-1324, emailing ram@nd.gov or calling (701)328-5166. Written or oral comments on the proposed rule amendments may be submitted to the above mailing address, email address or telephone number until October 10, 2022. The Department will consider every request for reasonable accommodation to provide an accessible meeting facility or other accommodation for people with disabilities, language interpretation for people with limited English proficiency (LEP), and translations of written material necessary to access programs and information. To request accommodations, contact Jennifer Skjod, Acting Non-discrimination Coordinator at 701-328-5226 or jskjod@nd.gov. TTY users may use Relay North Dakota at 711 or 1-800-366-6888. If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the Department at the above address or telephone number at least two days prior to the public hearing. There will be real time public streaming of the public hearing through a Microsoft Teams meeting. No testimony will be accepted through the Microsoft Teams meeting. Information concerning listening access by telephone or through Microsoft Teams can be obtained by calling (701)328-5166 or can be found on the Department's website at: <https://deq.nd.gov/PublicNotice.aspx>.

Dated this 15th day of August, 2022.
David Stradinger
Manager
Radiation Control Program

(8-25)

STATE OF NORTH DAKOTA PUBLIC SERVICE COMMISSION

Clyde Eisenbeis
Case No. RC-22-339
Complaint
NOTICE OF FORMAL HEARING
August 8, 2022
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PUBLIC SERVICE COMMISSION
Steven Kahl
Executive Director
(8-25)

The State Historical Society of North Dakota will accept bids for permission to cut and remove hay from portions of the Fort Clark State Historic Site, located 15 miles Southwest of Washburn, ND on Highway 200 Alt West. The Archaeology & Historic Preservation Division Director, Andrew Clark, should be contacted to view the area to be cut.

Acreage to be mowed is approximately 15.5 acres. All hay must be removed from the land by October 15, 2022. All bids must be received by September 2, 2022, by 5PM CDT. The State Historical Society of North Dakota reserves the right to reject any or all bids. The successful bidder will be granted a renewal option, should they decide to do the haying in the future. Please mark the outside of the envelope "Seale Bid" and mail to the following address: Andrew Clark, Archaeology & Historic Preservation Division, 612 E Boulevard Ave, Bismarck, ND 58505.
(8-25)

NOTICE OF APPLICATION

APPLICATION FOR APPROPRIATION
OF WATER

FROM GROUND WATER

TAKE NOTICE that LAZORENKO, ALEXANDER & FLORINE, KILLDEER, ND, have submitted Water Permit Application No. 7227 to the North Dakota Department of Water Resources for a permit to divert and appropriate water from ground water.

The application requests a permit to appropriate water from ground water, utilizing point(s) of diversion located in the SW1/4 of Section 10, Township 145 N., Range 095 W., Dunn County as shown on the map accompanying the application, at a pumping rate of 2,000 gallons per minute with an annual appropriation of 400.0 acre-feet of water for Industrial use.

TAKE NOTICE that written comments regarding the proposed appropriation must be filed in the North Dakota Department of Water Resources, 900 East Boulevard Avenue, Bismarck, North Dakota 58505-0850, by 5 o'clock p.m., on the 26th day of September 2022. The Department of Water Resources shall consider all written comments received and prepare a recommended decision which will be provided to the applicant and any person who filed written comments. Those persons may file additional comments with the Department of Water Resources, request an adjudicative proceeding on the application, or both.

Dated at Bismarck, North Dakota, on August 18, 2022.

(8-25, 9-1)

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

In the Matter of the Estate of LEONA
M. STROH, deceased.

Probate No. 13-2022-PR-00029

NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN That the undersigned has been appointed Personal Representative of the above estate. All persons having claims against the said deceased are required to present their claims within three months after the date of the first publication of this notice or said claims will be forever barred. Claims must either be presented to David Stroh, Personal Representative of the estate of Leona M. Stroh, at P.O. Box 1173, Dickinson, North Dakota 58602-1173, or filed with the Court.

Dated this 17th day of August, 2022.

Personal Representative: David Stroh

(8-25)

August 15, 2022 Regular Meeting of
the Zap City Council

Meeting called to order by Mayor
Mike Duttenhefner at 6:35pm. Mem-
bers present were Joe Grammond,
Roy Entze, Tamara Gillig, and Rhonda
Pfenning, City Auditor & Officer Waller.

Motion by Pfenning, second by Gil-
lig, to approve the regular minutes &
special minutes as presented by the
Auditor. Roll call vote. All in favor.

Motion by Gillig, second by pfen-
ning, to approve the financial report
as presented by the Auditor. Roll call
vote. All in favor.

Officer Waller gave a Quarter po-
lice report.

Old Business:
Motion by Grammond, second by
Pfenning to approve the 2020 audit
report from the State Auditors office.
Roll call vote. All in favor.

Motion by Grammond, second by
Entze, to charge \$100.00 per lot if the
City has to mow an individual property.
Roll call vote. All in favor.

New Business:
Motion by Grammond, second by
Entze, to approve special permits for
Mics Tavern for

Sept. 10, 16, 17, 24 contingent all
requirements are met. Roll call vote.
All in favor.

Motion by Entze, second by Gram-
mond to approve raffle permit for Beu-
lah Miner Trap Team permit number
2022-03. Roll call vote. All in favor.

Motion by Gillig, second by Pfen-
ning to approve the pledge of securi-
ties from Union State Bank. Roll call
vote. All in favor.

Motion by Pfenning, second by
Grammond to approve the report from
the ND Dept of Environmental Quality
on the water tank and lagoon. Roll call
vote. All in favor.

Motion by Pfenning, second by En-
tze to lift the open container law from
north 1st ave and Main to the south
corner of storage unit on Main street
to the east corner of 2nd and Halpern
Street for the 16th and 17th of Septem-
ber 2022 and all of the area where the
mud run and tractor pull will go on.
Roll call vote. All in favor.

Motion by Grammond, second by
Pfenning to pay the following bills, city
of Zap \$376.00, Mercer Co Auditor
\$188.00, Zap Park Board \$445.09,
City of Beulah \$90.00, Menards
\$96.57, MDU \$1267.57, WRT \$234.69
Solem Law \$62.50, Farmers Union
\$520.82, Postmaster \$264.00, Beu-
lah Lumber \$331.97, Kaffer \$100.00,
J & M Hardware \$60.17, DustTex
\$179.00, Stroup Insurance \$2915.00,
South West Water \$5139.87, CCCHC
\$26.00, Beulah Beacon \$67.18, Mer-
cer county Sheriff \$1185.54, Sanford
Health \$35.00, State Auditor \$1675.00,
ABM \$119.85, Mercer Co Landfill
\$67.60, ND One Call \$7.80, ND
Dept of Health \$16.00, Pension Plan
\$244.18, Sletten \$3625.21, MARC
\$1484.50, Pump Systems \$600.00,
J & S Sanitation \$1072.00, MGM
\$3360.29, Entze \$522.46, Neuberger
\$476.75, D Zahn \$654.74, Schultz
\$350.69, C Zahn \$536.85, IRS
\$1167.52. Roll call vote. All in favor.

Motion by Grammond, seconded
by Pfenning to adjourn. Meeting ad-
journed at 8:51PM. Roll call vote. All
in favor.

Respectively submitted pending ap-
proval by the Council by:

Mike Duttenhefner, Mayor
Cynthia Zahn, City Auditor
(8-25)

MERCER COUNTY ESTIMATED TAX STATEMENTS

We are required to send out Estimated Tax Statements to property owners who will have estimated taxes of \$100 or more for the year 2022. DO NOT PAY these estimated statements. These amounts are estimates based on preliminary budget figures and do not include specials.

These statements are intended to explain in dollars the effect of each entity's preliminary budget and to increase taxpayer participation in the budget process by providing the date, time and location of each taxing district's final budget hearing.

If you received statements that are not yours, or did not receive statements you should have, please let us know so we can fix this before the actual statements go out in December.

Please let us know if there will be an address change needed before that time as well.

**If you have any questions call Dawn Grannis,
Mercer County Treasurer at 701-745-3323 or Samantha
Melberg, Mercer County Auditor at 701-745-3292.**

Schools strive to improve mental health

Critics say their measures aren't effective enough

JOCELYN GECKER AND DYLAN LOVAN
Associated Press

CECILIA, Ky. — For fourth-grader Leah Rainey, the school day now begins with what her teacher calls an “emotional check-in.”

“It’s great to see you. How are you feeling?” chirps a cheery voice on her laptop screen. It asks her to click an emoji matching her state of mind: Happy. Sad. Worried. Angry. Frustrated. Calm. Silly. Tired.

Depending on the answer, Leah, 9, gets advice from a cartoon avatar on managing her mood and a few more questions: Have you eaten breakfast? Are you hurt or sick? Is everything OK at home? Is someone at school being unkind? Today, Leah chooses “silly,” but says she struggled with sadness during online learning.

At Lakewood Elementary School, all 420 students will start their days the same way this year. The rural Kentucky school is one of thousands across the country using the technology to screen students’ state of mind and alert teachers to anyone struggling.

In some ways, this year’s back-to-school season will restore a degree of pre-pandemic normalcy: Most districts have lifted mask mandates, dropped COVID vaccine requirements and ended rules on social distancing and quarantines.

But many of the pandemic’s longer-lasting impacts remain a troubling reality for schools. Among them: the harmful effects of isolation and remote learning on children’s emotional well-being.

Student mental health reached crisis levels last year, and the pressure on schools to figure out solutions has never been greater. Districts across the country are using federal pandemic money to hire more mental health specialists, rolling out new coping tools and expanding



TIMOTHY D. EASLEY, ASSOCIATED PRESS

A student uses her laptop to participate in an emotional check-in at the start of the school day Aug. 11 at Lakewood Elementary School in Cecilia, Ky. The rural Kentucky school is one of thousands across the country using the technology to screen students’ state of mind and alert teachers to anyone struggling.

curriculum that prioritizes emotional health.

Still, some parents don’t believe schools should be involved in mental health at all. So-called social-emotional learning, or SEL, has become the latest political flashpoint, with conservatives saying schools use it to promote progressive ideas about race, gender and sexuality.

But at schools like Lakewood, educators say helping students manage emotions and stress will benefit them in the classroom and throughout life.

The school, in a farming community an hour’s drive south of Louisville, has used federal money to create “take-a-break” corners in each classroom. Students can rifle through a “self-regulation kit” with tips on deep breathing, squishy stress balls and acupuncture rings, said school counselor Shelly Kerr. The school plans to build a “Reset Room” this fall, part of an emerging national trend to create campus sanctuaries where students can go to decompress.

The online student

screeener Lakewood uses, called Closegap, helps teachers identify shy, quiet kids who might need to talk and would have otherwise gone unnoticed.

Closegap founder Rachel Miller launched the online platform in 2019 with a few schools and saw interest explode after the pandemic hit. This year, she said, more than 3,600 U.S. schools will be using the technology, which has free and premium versions.

“We are finally beginning to recognize that school is more than just teaching the kids reading, writing and arithmetic,” said Dan Domenech, executive director of the national School Superintendents Association. Just as free lunch programs are based on the idea that a hungry child can’t learn, more schools are embracing the idea that a troubled mind cannot focus on schoolwork, he said.

The pandemic magnified the fragility of mental health among American youth, who had been experiencing a rise in depression, anxiety and suicidal thoughts for years,

experts say. A recent report issued by the Centers for Disease Control and Prevention found 44% of high school students said they experienced “persistent feelings of sadness or hopelessness” during the pandemic, with girls and LGBTQ youth reporting the highest levels of poor mental health and suicide attempts.

If a silver lining exists, the pandemic raised awareness of the crisis and helped de-stigmatize talking about mental health, while also bringing attention to schools’ shortcomings in handling it. President Joe Biden’s administration recently announced over \$500 million to expand mental health services in the country’s schools, adding to federal and state money that has

poured into schools to cope with pandemic-era needs.

Still, many are skeptical schools’ responses are enough.

“All of these opportunities and resources are temporary,” said junior Claire Chi, who attends State College Area High School in central Pennsylvania. Last year, her school added emergency counseling and therapy dogs, among other supports, but most of that help lasted a day or two, Chi said. And that’s “not really a mental health investment for students.” This year, the school says it has added more counselors and plans mental health training for all 10th-graders.

Some critics, including many conservative parents, don’t want to see mental health support in schools in

the first place. Asra Nomani, a mom from Fairfax County, Virginia, says schools are using the mental health crisis as a “Trojan horse” to introduce liberal ideas about sexual and racial identity. She also worries schools lack the expertise to deal with student mental illness.

“Social-emotional well-being has become an excuse to intervene in the lives of children in the most intimate of ways that are both dangerous and irresponsible,” Nomani said, “because they’re in the hands of people who are not trained professionals.”

Despite the unprecedented funding, schools are having trouble hiring counselors.

Goshen Junior High School in northwest Indiana has been struggling to fill a vacancy of a counselor who left last year, when student anxiety and other behavioral problems were “off the charts,” said Jan Desmarais-Morse, one of two counselors left at the school, with caseloads of 500 students each.

“One person trying to meet the needs of 500 students?” said Desmarais-Morse said. “It’s impossible.”

The American School Counselor Association recommends a ratio of 250 students per school counselor, which few states come close to meeting.

For the 2020-21 school year only two states — New Hampshire and Vermont — achieved that goal, according to an Associated Press analysis of data from the National Center for Education Statistics. Some states face staggeringly high ratios: Arizona averages one counselor to 716 students; in Michigan, 1 to 638; and in Minnesota, 1 to 592.

Public Notices

STATE OF NORTH DAKOTA PUBLIC SERVICE COMMISSION
Public Service Commission
Clyde Eisenbeis
Case No. RC-22-339
Complaint
NOTICE OF FORMAL HEARING
August 8, 2022
Preliminary Statement
The Public Service Commission (Commission) received a Formal Complaint on August 3, 2022, a revised Formal Complaint on August 4, 2022, and a request for a Formal Hearing on August 5, 2022, from Clyde Eisenbeis, Allen Eisenbeis, and JoAnn Crabtree (Eisenbeis family) who own land adjacent to the Coteau Properties Company’s Freedom Mine Surface Coal Mining Permit No. NACT-9501 that covers 6,525.7 acres of land located in portions of Sections 30, 31, and 32, T146N, R87W; Sections 14, 15, 16, 22, 23, 25, 26, 27, 34, 35, and 36, T146N, R88W in Mercer County. Permit No. NACT-9501 was approved by the Public Service Commission on April 3, 1996. All coal has been removed and the permit is in reclamation status.
The Eisenbeis family alleges the mine installed a path for surface water to flow onto their property in the NW1/2 of Section 34, T146N, R88W; the mine restricted access to farmland by modifying the county road ditch and diversion outside the permit area without proper permits; that pond overflows and discharges caused erosion and flooding; that mine operations resulted in the loss of acreage and crop income; that surface water from ponds and discharges is seeping into the groundwater which is raising the water table and contaminating the aquifer with sulfur; and other related concerns as stated in the August 4th Formal Complaint. The complaint cites North Dakota Century Code 38-14.1-01, 38-14.1-01(1), 38-14.1-02, 38-14.1-02(17), 38-14.1-02(19), 38-14.1-02(34), 38-14.1-02(35)(a) and (b), 38-14.1-14, 38-14.1-14(1), 38-14.1-21(3)(c), 38-14.1-24, and 38-14.1-24(8); North Dakota Administrative Code 69-5.2-01, 69-05.2-01-02, and 69-05.2-01-02(1); and Policy Memorandum 6, Activities Covered by Surface Coal Mining Permits.
Notice of Formal Hearing
Notice is hereby given that the captioned matter is set for a Formal Hearing, commencing at 8:30 a.m. CST, on September 1, 2022, 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
Steven Kahl
Executive Director
8/18 & 25 - 50551

Tom O’Leary Intake Improvements Bismarck Parks and Recreation District
Apex Project# 22.184.0093
Section 00030 - ADVERTISEMENT FOR BIDS
Sealed bids will be received by the Bismarck Parks and Recreation District at the office of the Bismarck Parks and Recreation District, Attn: Bid for Tom O’Leary Intake Improvements – Kevin Klipfel, 400 E Front Ave, Bismarck, North Dakota 58504 until 10:30 am on September 7th, 2022 at which time they will be publicly opened and read aloud for the construction of the Sertoma Park Restroom Improvements, according to the drawings and specifications on file in the office of the Engineer. The Contract Documents may be examined at the following locations: Apex Engineering Group, Inc. – 600 South 2nd Street – Suite 145, Bismarck, ND 58504
Bismarck Parks & Recreation District – 400 E Front Ave, Bismarck, ND 58504
Bismarck-Mandan Builders Exchange – 805 Adobe Trail – Bismarck, ND
Construction Plans Exchange – 215 Airport Road – Bismarck, ND
The Contract Documents are available for download from the QuestCDN.com web site for \$20.00 (QuestCDN Project #8273717). Bidders may also obtain hard copies of the Contract Documents from the office of Apex Engineering Group, Inc., 600 South 2nd Street – Suite 145, Bismarck, ND 58504 upon payment of a non-refundable fee of \$50.00.
Bids shall be based upon cash payment for the following general items:
The project shall consist of improvements to the Missouri River intake for the Tom O’Leary golf course located in Pioneer Park and consisting primarily of a new control panel and pump vortex suppression baskets.
Bids will be received as a Lump Sum bid. The Owner intends to award the Bid on the basis of the lowest Bids. The Owner reserves the right to reject any and all Bids, and to accept the bid deemed most favorable to the interest of the Owner.
Each Bid shall be accompanied by a separate envelope containing a Bidder’s Bond in a sum equal to five percent of the full amount of the Bid, executed by the Bidder as principal and by a surety company authorized to do business in this state, conditioned that if the principal’s Bid is accepted and the contract awarded to the principal, the principal, within ten days after Notice of Award, shall execute and effect a contract in accordance with the terms of his Bid and a Contractor’s Bond as required by law and the regulations and determinations of the governing body. The Bid Bond of the three lowest Bidders will be retained until the contract has been awarded and executed, but not longer than sixty (60) days. The Bid security is a guarantee that the Bidder will enter into contract for the work described in the Proposal. The bidder may submit a Bid Bond, certified check, or cashier’s check payable to the Bismarck Parks and Recreation District.
All Bidders shall have a valid North Dakota Contractor’s license of the appropriate Class for the work. Bidders shall enclose a copy of the license or Certificate of Renewal in the same envelope as the Bidder’s Bond. Failure to

do so will render the Bid invalid. No Bid will be read or considered unless it fully complies with the Bond and license requirements. Any deficient Bid will be resealed and returned to the Bidder immediately.

The successful Bidder shall be required to furnish both a Performance Bond and Payment Bond in the full amount of the Contract. The Work under this Contract shall be Substantially Completed by June 30th, 2023 and shall achieve Final Completion by July 15, 2023.

ALL QUESTIONS REGARDING THE CONTRACT DOCUMENTS SHALL BE DIRECTED TO THE OFFICE OF: Apex Engineering Group, Inc., John Klein, PE at 701-323-3961 or by email at John.Klein@ApexEngGroup.com. All questions must be received in writing or by email on or before seven (7) days prior to the bid opening. Responses to technical questions will be issued by addendum within five (5) days prior to the bid opening. Dated this 11th day of August, 2022.

s/ Kevin Klipfel
Kevin Klipfel
Executive Director
Bismarck Parks & Recreation District
Bismarck, ND
Published August 11, August 18, August 25, 2022
8/11, 18 & 25 - 50434

Name, Address and Telephone No. of Attorney
Jacob Craig Maxson (ID #06747)
MAXSON LAW OFFICE, P.C.
320 – 16th Street NW
Minot, ND 58703
Telephone No.: (701) 839-6704
jmax@minot.com
Attorneys for: Personal Representative IN THE DISTRICT COURT OF BURLEIGH COUNTY, STATE OF NORTH DAKOTA
In the Matter of the Estate of Evan W. Lips, Deceased.
Probate No. 08-2022-PR-00215

NOTICE TO CREDITORS
NOTICE IS HEREBY GIVEN that the undersigned has been appointed Personal Representative of the above Estate. All persons having claims against the said deceased are required to present their claims within three (3) months after the date of the first publication of this Notice or said claims will be forever barred. Claims must either be presented to Patrick K. Lips, Personal Representative of the above-named estate, in care of Maxson Law Office, P.C., at 320 – 16th Street NW, Minot, ND 58703, or filed with the Court.
Dated this 10th day of August, 2022.
s/ Patrick K. Lips
Patrick K. Lips, Personal Representative
Jacob C. Maxson (ID #06747)
MAXSON LAW OFFICE, P.C.
320 – 16th Street NW
Minot, ND 58703
Attorneys for Personal Representative
First publication on the 17th day of August, 2022.
8/18, 25 & 9/1 - 50592

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Barbara Mansund, NestWaller

Real Estate
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Nicole Caldwell

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Teen pilot sets record in solo flight around world

Rutherford lands in Bulgaria after 5-month journey

VESELIN TOSHKOV
Associated Press

SOFIA, Bulgaria — A 17-year-old pilot became the youngest person to fly solo around the world in a small aircraft after he landed on Wednesday in Bulgaria, where his journey kicked off five months ago.

Mack Rutherford, a Belgian-British dual national, landed on an airstrip west of Bulgaria's capital, Sofia, to complete his task and to claim two Guinness World Records. Along with becoming the youngest person to fly around the world by himself, Rutherford is the youngest person to circumnavigate the globe in a microlight plane.

Rutherford said he hoped his achievement would inspire young people to pursue their dreams.

"Just follow your dreams, no matter how old you are — work hard and move forward to achieve your goals," he said after he stepped out of the aircraft.



VIRGINIA MAYO, ASSOCIATED PRESS

Seventeen-year-old pilot Mack Rutherford speaks with the media after landing Tuesday at the Buzet airfield in Pont-A-Celles, Belgium. On Wednesday, he became the youngest person to fly around the world solo in a small plane.

His sister, Zara, who finished her own global flight in January at age 19, previously held the ultralight record. Mack Rutherford took the age record from Travis Ludlow of Britain, who was 18 when he made a solo flight around the world last year.

The journey, which began March 23, took Rutherford through 52 countries over five continents. He turned 17 during the trip. To set a mark recognized by the Guinness World Records, he crossed the equator twice.

Born into a family of aviators, Rutherford qual-

ified for his pilot's license in 2020, which at the time, made him the youngest pilot in the world at the age of 15.

His solo trip flying around the world kicked off in Bulgaria because his sponsor, the web hosting company ICDSOFT, is headquartered in Sofia and loaned him the plane.

Like his sister, Rutherford flew a Shark, one of the fastest ultralight aircraft in the world with a cruising speed reaching 186 mph. Normally a two-seater, it was modified for his long journey by replacing the second seat with an extra fuel tank.

Initially planned to take up to three months, the trip lasted longer because of several unexpected obstacles along his way, including monsoon rains, sandstorms and extreme heat.

But most of the delays were caused by waits to obtain permits and other documents required for further flight or having to alter the scheduled route if they were rejected.

The flight took him through Africa and the Gulf region to India, China, South Korea and Japan. He crossed the northern Pacific

and landed after 10 uninterrupted hours in the air on a volcanic island near the Bering Strait.

From there, he headed to Alaska and down the West Coast of the United States to Mexico. Rutherford then headed north again along the U.S. East Coast to Canada, and across the Atlantic Ocean to Europe.

On Wednesday, a huge crowd of people had arrived at the airport to welcome Rutherford and to celebrate his achievements. Among them were the three members of his immediate family.

His father, Sam Rutherford, said he was extremely happy and proud of his children's achievements. He told reporters that such an

event is especially encouraging for children to follow their dreams and parents to support them in their endeavors.

His sister, Zara Rutherford, said she kept in close touch with her younger brother during his journey.

"While he was flying, I constantly tried to keep in touch and help him. Our parents called him every day, and I joined in those conversations. I gave him advice on the route, on the flight, so that I could be useful to him," she said.

Mack Rutherford said he will now focus on his education.

"The next thing I'm going to do is to go back to school and catch up as much as I can," he said.

Public Notices

Camper from Kniefel Boat Ramp. 5th Wheel Dutchman White in color. Located at 910 Industrial Dr Bismarck ND 58501 701-258-0451 8/25, 26, 27, 29, 30, 31 & 9/1 - 50809

Camper from 135 Ervine Loop. Champion RV Tan in color. Located at 910 Industrial Dr. Bismarck ND 58501 701-258-0451 8/25, 26, 27, 29, 30, 31 & 9/1 - 50808

Tom O'Leary Intake Improvements Bismarck Parks and Recreation District
Apex Project# 22.184.0093
Section 00030 - ADVERTISEMENT FOR BIDS

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ALL QUESTIONS REGARDING THE CONTRACT DOCUMENTS SHALL BE DIRECTED TO THE OFFICE OF: Apex Engineering Group, Inc., John Klein, PE at 701-323-3961 or by email at John.Klein@ApexEngGroup.com. All questions must be received in writing or by email on or before seven (7) days prior to the bid opening. Responses to technical questions will be issued by addendum within five (5) days prior to the bid opening. Dated this 11th day of August, 2022.

s/Kevin Klipfel
Kevin Klipfel
Executive Director
Bismarck Parks & Recreation District
Bismarck, ND
Published August 11, August 18, August 25, 2022

8/11, 18 & 25 - 50434

Name, Address and Telephone No. of Attorney
Jacob Craig Maxson (ID #06747)
MAXSON LAW OFFICE, P.C.
320 - 16th Street NW
Minot, ND 58703
Telephone No.: (701) 839-6704
jmax@minot.com
Attorneys for Personal Representative
IN THE DISTRICT COURT OF BURLEIGH COUNTY, STATE OF NORTH DAKOTA
In the Matter of the Estate of
Evan W. Lips, Deceased.
Probate No. 08-2022-PR-00215
NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that the undersigned has been appointed Personal Representative of the above Estate. All persons having claims against the said deceased are required to present their claims within three (3) months after the date of the first publication of this Notice or said claims will be forever barred. Claims must either be presented to Patrick K. Lips, Personal Representative of the above-named estate, in care of Maxson Law Office, P.C., at 320 - 16th Street NW, Minot, ND 58703, or filed with the Court. Dated this 10th day of August, 2022.

/s/ Patrick K. Lips
Patrick K. Lips, Personal Representative
Jacob C. Maxson (ID #06747)
MAXSON LAW OFFICE, P.C.
320 - 16th Street NW
Minot, ND 58703
Attorneys for Personal Representative
First publication on the 17th day of August, 2022.
8/18, 25 & 9/1 - 50592

Name, Address and Telephone No. of Attorney
JOHN S. STEINBERGER, JR.
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Box 566
Kenmare, North Dakota 58746
(701) 385-4760
State Bar #3345
Email: copenwiz@hotmail.com
Attorney For: Personal Representative
IN THE DISTRICT COURT OF BURLEIGH COUNTY, STATE OF NORTH DAKOTA

In the Matter of the Estate of
Louise Bauer, Deceased
Probate No.: 08-2022-PR-00214

NOTICE TO CREDITORS
NOTICE IS HEREBY GIVEN, that the undersigned has been appointed personal representative of the above estate. All persons having claims against the said deceased are required to present their claims within three months after the date of the first publication of this notice said claims will be forever barred. Claims must either be presented to Jefferey Bauer, personal representative of the estate, at 4315 78th St. NW, Carpio, North Dakota 58725 or filed with the Court. Dated this 11th day of August, 2022.

/s/ Jefferey Bauer
Jefferey Bauer
Personal Representative
4315 78th St. NW
Carpio, North Dakota 58725
John S. Steinberger, Jr.
Attorney at Law
Box 566
Kenmare, North Dakota 58746
State Bar #3345
Email: copenwiz@hotmail.com
Attorney For: Personal Representative
First publication on the 25th day of August, 2022.
8/25, 9/1 & 8 - 50880

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION
Public Service Commission
Clyde Eisenbeis
Case No. RC-22-339
Complaint

NOTICE OF FORMAL HEARING
August 8, 2022
Preliminary Statement
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PUBLIC SERVICE COMMISSION
Steven Kahl
Executive Director
8/18 & 25 - 50551

Judge rules university violated privacy rights

Student had to show bedroom before a test

MARK GILLISPIE
Associated Press

CLEVELAND — Cleveland State University violated a student's Fourth Amendment right to privacy when he was required to use a webcam to show his bedroom before taking an online test, a federal judge in Cleveland ruled.

Matthew Besser, the attorney for student Aaron Ogletree, said that the lawsuit was filed last year to stop the university from enforcing an illegal practice aimed at preventing cheating and that Ogletree is not seeking monetary damages.

The ruling Monday by U.S. District Judge J. Philip Calabrese appears to set a precedent regarding student privacy rights, Besser said.

"Freedom from government intrusion into our homes is the very core of what the Fourth Amendment protects," Besser said. "If there is any place where students have a reasonable expectation of privacy, it's in their homes."

Ogletree initially protested but scanned his room before a chemistry test, fearing he would receive a failing grade if he did not comply, Besser said.

Calabrese in his ruling ordered Besser and attorneys for Cleveland State to meet to determine what the next step in the case will be. He said in the order that Ogletree's right to privacy "outweighs Cleveland State's interests in scanning his room."

Cleveland State spokesperson David Kiemeyer said Tuesday the school

cannot comment on "active litigation."

"Ensuring academic integrity is essential to our mission and will guide us as we move forward," Kiemeyer said.

Ogletree said in the lawsuit that the COVID-19 pandemic forced him during the school's 2021 spring semester to take classes online to pro-

tect his family members' health.

The decision whether to require students to show their rooms before a test is left to the discretion of individual professors and is not enforced by all instructors, Ogletree said in the lawsuit. Room scans are visible to other students who are taking a test, Ogletree's lawsuit said.

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