

Advertisement for Bids

The City of Bowman is accepting bids for a new 2013 3 yard 4 wheel drive loader for the City Landfill. Bid specs are available at Bowman City Hall. Bids are due in the Auditor's Office by 4:00 PM on Monday, August 5, 2013. For additional information, call 701-206-0221 or 701-206-0223. The City will open the bids at the August 6, 2013 City Commission meeting and the City reserves the right to reject any or all bids. 7/22, 23, 24, 25, 26, 27, 29, 30, 31, 8/1, 2, 3 & 5 - 609687

PUBLIC NOTICE

The Bureau of Reclamation invites the public to a contract negotiation session for the proposed repayment contract with the Western Heart River Irrigation District which would provide for agriculture irrigation from the Heart Butte Unit in accordance with the Reclamation Act of June 17, 1902, as amended and supplemented, Section 9(d) of the Reclamation Project Act of 1939 and the Flood Control Act of December 22, 1944. The session begins at 10:00 am MDT on August 2, 2013. The negotiation session will be held at Grant County Courthouse, which is located at 106 2nd Ave. NE, Carson, North Dakota. The meeting is open to the public for observation and will include a period for public comments. To review a copy of the draft contract, provide written comments, or to request additional information, please contact Daniel Schaafl Gallagher, Bureau of Reclamation, P.O. Box 36900, Billings, MT, 59107-6900, or at (406) 247-7733, or at DSchaaflGallagher@usbr.gov. 7/18, 25 & 8/1 - 609683

STATE OF NORTH DAKOTA
IN DISTRICT COURT
COUNTY OF BURLEIGH
SOUTH CENTRAL JUDICIAL DISTRICT
Blain Ovind, dba Ovind Construction,)
Plaintiff,)
vs.)
Stephen Allen Kamp, aka Stephen A.)
Kamp, Steven Allen Kamp, Steven A.)
Kamp, Steve Allan Kamp, Steve A.)
Kamp, Stephen Kamp, Steven Kamp,)
and Steve Kamp, and Melanie Jo Kamp,)
aka Melanie J. Kamp and Melanie Kamp,)
Defendants.)
Civil No. 08-2013-CV-01589
Summons

The State of North Dakota to the above named defendants:
You are hereby summoned and required to appear and defend against the complaint in this action, which is herewith served upon you, by serving upon the undersigned an answer or other proper response within twenty-one (21) days after the service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.
Dated July 3, 2013.

FLECK LAW OFFICE
Attorney for Plaintiff
314 East Thayer Avenue, Suite 220
P.O. Box 6178
Bismarck, ND 58506-6178
Phone: (701) 258-5256
Email: arnfleck@usa.net
/s/ Arnold V. Fleck .
By: Arnold V. Fleck (ID #04102)
7/18, 25 & 8/1 - 609688

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION
BNI Coal, Ltd.
Notice of Violation No. 1301
Violation**
**Case No. RC-13-334
NOTICE OF INFORMAL
CONFERENCE
July 10, 2013
Preliminary Statement**

On June 14, 2013, the Public Service Commission's Reclamation Division issued Notice of Violation 1301 to BNI Coal, Ltd. for failure to properly maintain a sump and silt fence used as sediment control measures to minimize sediment deposition on undisturbed areas in NE1/4SW1/4 of Section 5, T141N, R83W, in Oliver County, North Dakota. As a result of this failure, sediment was deposited on an adjacent undisturbed area.
On June 24, 2013, the Commission received a request for an Informal Conference from BNI in the matter.

Notice of Informal Conference
Notice is hereby given that the captioned matter is set for an Informal Conference, commencing at 1:30 p.m. CDT, on August 19, 2013, 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
Randy Christmann, Commissioner
Brian P. Kalk, Chairman
Julie Fedorchak, Commissioner
8/1 - 609736

BISMARCK PUBLIC SCHOOLS

The following detailed minutes of the Bismarck School Board are being published as required by a vote of the electors of the district pursuant to North Dakota Century Code 15-28-11. The cost of this publication is \$ 330.48.
The Bismarck School Board met on June 10, 2013, in the Tom Baker Room of the City/County Office Building.
Board President Marquardt called the meeting to order at 5:15 p.m. and requested that the Business Manager call the roll.
Members present: Heide Delorme, Scott Halvorson, Lawrence King, Matt Sagsveen, and Steve Marquardt.
Following agreement on the agenda, Mr. Marquardt called upon Superintendent Tamara Uselman to give her reports. Mrs. Uselman began by introducing Heather Mattheis, Students in Transition Coordinator, who presented an overview of the Students in Transition Program. Ms. Mattheis gave a power point presentation which explained how homeless students are provided services by Bismarck Public Schools.
Mrs. Uselman called the Board's attention to the attachment showing the projected enrollment for the 2013-14 school year as of June 6.

Darin Scherr, Director of Facilities and Transportation, provided an update on the five major projects that are currently underway in the District.
Under Board response to presentations, Mr. Marquardt responded to the information provided by Bob Ritterbush at the previous Board meeting. Other Board members also offered comments regarding their support for the construction process being used by the District for the new school buildings.
It was moved by Halvorson and seconded by Delorme to approve the following list of items on the Consent Agenda in accord with the recommendations made by the administration: the minutes of the May 30, 2013, regular School Board meeting; the hiring and salary of Lindsey Dirk, Special Education Coordinator at Hughes Educational Center, \$78,152; Staci Korkowski, Grade 5 at Dorothy Moses Elementary, \$42,305; Markelle Schmalz, Grade 2 at Liberty Elementary, \$40,512; Tiffany Silbernagel, Grade 2 at Roosevelt Elementary, \$39,676; and Whitney Thompson, Grade 1 at Liberty Elementary, \$39,000; the resignations submitted by Kelsi Hach (40% contract), Krista Salzer, Matthew Salzer, and Jerad Voglewede, all effective at the end of the 2012-13 contracted school year; the retirement submitted by Cindy Cross, effective at the end of the 2012-13 contracted school year; the grant application for the Students in Transition Program; and the Cofell's Plumbing & Heating Change Order PR8 in the amount of \$3,200 to upsize the storm sewer manhole on the Lincoln Elementary School construction project. Motion carried.

Mr. Marquardt announced that it was the time scheduled for public appearances. He asked Mrs. Uselman if anyone had contacted her to request an opportunity to address the Board. Mrs. Uselman stated that Bob Ritterbush would like to address the Board again. Mr. Ritterbush provided information comparing the bids received for the new elementary school being constructed by the Mandan School District with the bids received by Bismarck Public Schools for the construction of the Lincoln Elementary School.
The first item under Unfinished Business was the second reading of School Board Policy JBB: Entrance Age. Following a brief explanation, it was moved by King and seconded by Sagsveen to approve the second reading and final adoption of School Board Policy JBB as presented. Motion carried. (The complete text of SB Policy JBB is on file in the office of the Business Manager.)
The next item on the Agenda was consideration of additional budget enhancement requests for the fiscal year 2013-14 budget. Mrs. Uselman provided information explaining why the proposed enhancements are needed. Following some discussion, it was moved by Delorme and seconded by Halvorson to approve the following list of Priority 1 budget enhancement requests.

6th Grade
ELA Textbook Adoption \$ 45,000
10th Grade
ELA Literature Textbooks 70,000
12th Grade
ELA Literature Textbooks 70,000
5th Grade Social Studies
Alive Materials 63,075
5th Grade Social Studies
Alive Computers 115,200
5th Grade Science NXT
Lego Kits & Computers 26,342
Trans Math (piloting 7th & 8th @Wachter and Simle-Need to add 6th) 5,000
Tech Ed 6th Grade Textbooks
Liberty - Orton Gillingham
Barton 3,000
Legacy - Read Right Start-up
(Equipment & Server Use Fees)
Math - Algebra I Classroom
one-to-one computers 22,500
PE Lockers (8 banks @ CHS & 16 banks @ BHS) 36,000

Accompanist Time
(CHS - BHS - LHS) 23,575
5 Coaches for
4th & 5th Grades (1:400 ratio) 300,000
Upon roll call vote, Halvorson and Delorme voted aye and Sagsveen, King, and Marquardt voted nay. Motion failed.
Following more discussion regarding the budget enhancements and the overall impact on the proposed budget, it was moved by King and seconded by Halvorson to approve the inclusion of \$36,000 in the fiscal year 2013-14 budget for additional physical education room lockers at Bismarck High School and Century High School. Motion carried.
It was moved by King and seconded by Sagsveen to approve the list of budget enhancements to be funded from alternate funds totaling \$648,196. Motion carried.
The first item under New Business was consideration of the bids received for the house built by the high school building trades class at the Career and Technical Education Center. Ed Gerhardt, Business Manager, explained that only one bid had been received for the house. The bid was submitted by Ronald Bitz in the amount of \$64,000. It was moved by King and seconded by Sagsveen to approve the sale of the CTE house built by high school students to Ronald Bitz for the amount of \$64,000. Motion carried.
Darin Scherr explained that a request had been received for a 50 foot wide sanitary sewer easement on property owned by Bismarck Public Schools located west of north Washington Street. He then called upon Lon Romsaas, engineer with Swenson-Hagen Engineering, to explain the easement request. Mr. Romsaas provided maps showing the location of the proposed easement. Following some discussion, it was the consensus of the Board that this request be tabled until the next Board meeting.
Under General Information, Mrs. Uselman reminded the Board of the attached summary of the boundary and transfer process.
It was moved by King and seconded by Delorme that the Bismarck School Board go into Executive Session pursuant to North Dakota Century Code 44-04-19.1 (9) to discuss negotiating strategies and land negotiations. Motion carried.
The Board went into Executive Session at 6:45 p.m.
The Board reconvened in Open Session at 8:30 p.m.
Mr. Marquardt announced that during the Executive Session, the Board only discussed negotiating strategies and no formal action was taken.
There being no further business to come before the Board, Mr. Marquardt adjourned the meeting at 8:31 p.m.

June 24, 2013 Meeting
The Bismarck School Board met on June 24, 2013, in the Tom Baker Room of the City/County Office Building.
Board President Marquardt called the meeting to order at 5:15 p.m. and requested that the Business Manager call the roll.
Members present: Heide Delorme, Scott Halvorson, Lawrence King, Matt Sagsveen, and Steve Marquardt.
Following agreement on the agenda, Mr. Marquardt called upon Superintendent Tamara Uselman to give her reports. Mrs. Uselman began by calling the Board's attention to a map attached to the Agenda which indicated the states from where new students have enrolled in Bismarck Public Schools during the past school year.
Mrs. Uselman gave the year-end update on the 2012-13 superintendent's goals.
Business Manager Ed Gerhardt presented the financial report for May. Mr. Gerhardt reported that the General Fund balance was \$32,022,984 and the total balance of all funds maintained by the Bismarck School District was \$48,780,661 as of May 31, 2013. Board members had three questions regarding specific line item expenditures: one regarding athletic home game expenses, one regarding equipment repairs, and one regarding teacher pay distribution. Mr. Gerhardt stated that he would research each question and respond with specific detail.
Mrs. Uselman called the Board's attention to the enrollment updates as of June 21, 2013.
Mrs. Uselman also advised Board members that an update of the FAQS/Decisions was attached to the agenda.
In response to a presentation made at the last Board meeting by Bob Ritterbush, Mrs. Uselman provided information regarding the construction process being used by the Bismarck School District for the construction of new school buildings. Board members expressed their support for the use of a Construction Manager at Risk for the construction of Legacy High School.
It was moved by Delorme and seconded by Sagsveen to approve the following list of items on the Consent Agenda in accord with the recommendations made by the administration: the minutes of the June 10 regular and June 19, 2013, special School Board meetings; the hiring and salaries of Kendra Clark, Grade 1 at Liberty Elementary, \$44,077; Michelle Friedt, Music at Rita Murphy Elementary, \$39,000; Talia Knoll, English Language Arts/Social Studies

at Simle Middle School, \$39,000; Susan Matzke, Kindergarten at Savvik Elementary (1-year contract), \$39,000; Amanda Peterson, English at Bismarck High School, \$45,346; Natalie Reiser, Counselor at Wachter Middle School, \$44,867; Katelyn Sorum, Grade 2 at Liberty Elementary, \$39,000; Jill Vallejo, K-3 Performance Strategist, \$52,226; and Arlene Wolf, Grade 5 at Pioneer Elementary, \$39,000; the resignation submitted by Carissa Wilkinson, effective at the end of the 2012-13 contracted school year; and the Title I Part D Neglected and Delinquent Grant application for 2013-14. Motion carried.
Mr. Marquardt announced that it was the time scheduled for public appearances. He asked Mrs. Uselman if anyone had contacted her to request an opportunity to address the Board. Mrs. Uselman stated that no one had contacted her and there was no one in the audience who wished to speak to the Board.
There were no items of Unfinished Business on the Agenda.
The first item under New Business was consideration of the request for a 50-foot wide sanitary sewer easement across property owned by Bismarck Public Schools located west of north Washington Street. Mrs. Uselman recommended that the Board go into Executive Session to discuss possible land negotiations. It was moved by Sagsveen and seconded by King that the Board go into Executive session pursuant to North Dakota Century Code 44-04-19.1 (9) to discuss land negotiations. Motion carried.
The room was cleared and the Board went into Executive Session at 5:50 p.m.
Mr. Marquardt called the Board back into Open Session at 6:14 p.m. and announced that during the Executive Session, the Board only discussed land negotiations and no formal action was taken.
It was moved by Sagsveen and seconded by Halvorson that prior to selling the 20 acres of land owned by the Bismarck Public School District located west of north Washington Street, the District attempt to negotiate the granting of a sanitary sewer easement across the parcel. Following some discussion, a roll call vote was taken and Sagsveen voted aye and Halvorson, Delorme, King, and Marquardt voted nay. Motion failed.
It was the consensus of the Board that the previous directive given to Administration to attempt to sell the land owned by the Bismarck School District located west of north Washington Street be continued.
The next item on the Agenda was change orders for the Lincoln Elementary School construction project. Darin Scherr, Director of Facilities and Transportation, explained each of the change order requests. It was moved by Delorme and seconded by King to approve Change Orders PR7, PR8, PR9, PR10, PR11, and PR12 on the Lincoln Elementary School construction project for a net deduct of \$109,459.64. Motion carried.
Mr. Scherr then explained the proposed change orders on the MDUR Community Bowl project. It was moved by Sagsveen and seconded by Halvorson to approve Change Order G-9, G-10, G-12, and G-13 for a net addition of \$27,873.28. Motion carried.
It was moved by King and seconded by Delorme to approve Change Order G-11 in the amount of \$16,000 which represents half the cost of a sidewinder mower for mowing the slopes at the MDUR Community Bowl. Upon roll call vote, King, Halvorson, Delorme, and Marquardt voted aye and Sagsveen voted nay. Motion carried.
Under General Information, Mrs. Uselman reminded the Board of the attached summary of the boundary and transfer process which was attached to the Agenda. It was moved by King and seconded by Delorme that Bismarck School Board go into Executive Session pursuant to North Dakota Century Code 44-04-19.1 (9) to discuss negotiating strategies and to provide negotiating instructions to the Board's representatives for negotiating with the Bismarck Education Association. Motion carried.
The Board went into Executive Session at 6:40 p.m.
The Board reconvened in Open Session at 7:55 p.m.
Mr. Marquardt announced that during the Executive Session, the Board only discussed negotiating strategies and provided instructions to the Board's representatives for negotiating with the Bismarck Education Association and no formal action was taken. There being no further business to come before the Board, Mr. Marquardt adjourned the meeting at 7:56 p.m.

July 1, 2013 - Special Session
The Bismarck School Board met in Special Session on July 1, 2013, in Board Room 3 of the Hughes Educational Center.
Board President Marquardt called the meeting to order at 12:15 p.m. and requested that the Business Manager call the roll.
Members present: Scott Halvorson and Steve Marquardt.
Members participating via phone: Heide Delorme and Matt Sagsveen.
Member absent: Lawrence King.
Mr. Marquardt explained that the only item on the Agenda for the special meeting was

to review and act on bids received for furniture for the new schools that are under construction. Darin Scherr, Director of Facilities and Transportation, explained the bids which were opened at 11:00 a.m., Friday, June 28, 2013. Following some questions regarding the bids, it was moved by Halvorson and seconded by Delorme to accept the low bids submitted by Brown & Saenger for student chairs in the amount of \$5,136.00, activity tables in the amount of \$1,853.86, adult chairs in the amount of \$387.90, cafeteria tables in the amount of \$31,134.00, and adjustable chairs in the amount of \$3,575.70; and the low bid submitted by Accent for art desks in the amount of \$7,455.00. Upon roll call

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Notice of Filing of an Application for a Surface Coal Mining Permit

The Coyote Creek Mining Company, L.L.C., 2000 Schafer Street, Suite D, Bismarck, ND 58501-1264, as applicant, has filed a complete application for Surface Coal Mining Permit NACC-1301, covering portions of Sections 30 and 31, T143N, R88W, of the Fifth Principal Meridian, Mercer County, North Dakota. The total acreage within the proposed permit area is approximately 84 acres.
The permit area is approximately ten miles southwest of Beulah and is found on the Medicine Butte NE, North Dakota USGS quadrangle map. The map shows the distance to the city of Zap, North Dakota, and the outline of the proposed permit area.
The owners of the surface and coal in the permit area are as follows:

TRACT 36

Township 143 North, Range 88 West
Section 30: E1/2 SE1/4

Surface Ownership:
Coal Ownership:

Paulette White and Randle White
Patience M. Saylor and Calvin K. Saylor
North Dakota Department of Trust Lands

TRACT 43

Township 143 North, Range 88 West
Section 31: A tract of land in the NE1/4 of the NE1/4 of Section 31, all in T143N-R88W.

Described as follows:

Beginning at the northeast corner of said Section 31; thence N 89°05'19" W a distance of 1316.36'; to the E 1/16 corner on the north line of said Section 31; thence S 00°51'39" W a distance of 150.00', on the 1/16 line of said Section 31; thence S 89°05'10" E a distance of 1316.25'; on a line parallel with the north line to the east line of said Section 31; thence N 00°54'16" E a distance of 150.00', on the east line to the northeast corner of said Section 31, being the point of beginning. This tract contains 4.54 acres, more or less.

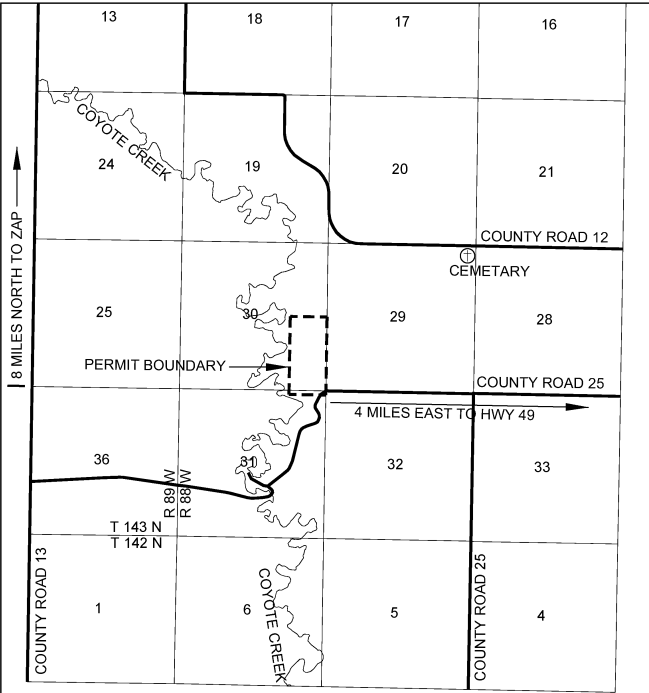
Surface Ownership:
Coal Ownership:

Casey Voigt and Julie Voigt
Great Northern Properties Limited Partnership

During the first term of the permit, The Coyote Creek Mining Company, L.L.C., proposes to request Mercer County approval to conduct surface coal mining and reclamation operations within 100 feet of the west right-of-way of the north-south section line between the S1/2 Sections 29 and 30, T143N, R88W and within 100 feet of the west right-of-way of the north 150 feet of the north-south section line between Sections 31 and 32, T143N, R88W. During the first term of the permit, The Coyote Creek Mining Company, L.L.C., also proposes to request Mercer County approval to temporarily close the east-west section line between the E1/2 Section 30 and Section 31, T143N, R88W, to conduct surface coal mining and reclamation operations. County Road 25 will remain open. The permit term will be five years. It is currently projected that operations within 100 feet of the road right-of-way and the section line closure will last until surface coal mining and reclamation operations are completed.

A copy of the application for Surface Coal Mining Permit NACC-1301 is available for public inspection at the office the North Dakota Public Service Commission, 13th Floor, North Dakota State Capitol, Bismarck, North Dakota 58505-0480, and at the office of the County Auditor, Mercer County Courthouse, Stanton, North Dakota 58571.
A petition to designate an area as unsuitable for surface coal mining operations that is within the proposed permit area, or written comments, objections, or requests for an informal conference on the application may be submitted by any person with an interest which is or may be adversely affected, to the North Dakota Public Service Commission, 600 East Boulevard Avenue, Department 408, Bismarck, North Dakota 58505-0480, within 30 days after the last publication of this notice. A petition to designate an area as unsuitable must contain allegations of facts with supporting evidence that would tend to establish the allegations, as outlined in NDAC 69-05.2-04-03(2). Any request for informal conference must be in writing to the Commission. The request must also state specifically the issues or objections that an affected party has regarding the permit application.

Coyote Creek Mining Company, L.L.C.
2000 Schafer Street, Suite D
Bismarck, ND 58501-1264



NEWSPAPER PUBLICATION
NOTICE MAP
PERMIT NACC-1301