

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 or mailing of this notice or said claims will be forever barred. Claims must either be presented to Kenneth Markham, personal representative of the estate at P.O. Box 1266, Mandan, North Dakota 58554-7266 or filed with the Court.
Dated this 11th day of May, 2011.
/s/ Kenneth Markham
KENNETH MARKHAM
Personal Representative
First Publication on the 18th day of May, 2011.
5/18, 25 & 6/1 - 606734

STATE OF NORTH DAKOTA
IN DISTRICT COURT
COUNTY OF BURLEIGH
SOUTH CENTRAL JUDICIAL DISTRICT
IN THE MATTER OF THE ESTATE OF
PAUL DOUGLAS SCHWICHTENBERG,
DECEASED.
PROBATE NO. 08-2011-P-105
NOTICE TO CREDITORS
NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of the above-named 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 Brad Banker, personal representative of the estate, 2507 Astronaut Drive, Bismarck, North Dakota 58503, Coles Law Firm, Attorneys for the Estate, P.O. Box 2162, Bismarck, North Dakota, or filed with the Court.
Dated this 16th day of May, 2011.
/s/ Brad Banker
Brad Banker
Personal Representative
COLES LAW FIRM
Attorneys for Personal Representative
Wells Fargo Bank Bldg., Ste 301
400 East Broadway Avenue
P.O. Box 2162
Bismarck, ND 58502-2162
Phone: (701) 222-8131
/s/ James J. Coles
By: James J. Coles
State Bar Board ID No. 03381
5/18, 25 & 6/1 - 606758

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION
Otter Tail Power Company
Advance Determination of Prudence -
CapX2020 Group I
Application
Case No. PU-09-676
Northern States Power Company
Advance Determination of Prudence -
CapX2020 Group I
Application
Case No. PU-09-678
NOTICE OF HEARING
May 18, 2011
On October 6, 2010, the Commission adopted an order granting an advance determination of prudence for Otter Tail Power Company's (Otter Tail) participation and ownership in three high-voltage transmission line projects, Case No. PU-09-676:
• A 250-mile long, 345 kV transmission line between Fargo, North Dakota and the northwest quadrant of the Twin Cities, Minnesota.
• A 200-mile long, 345 kV transmission line between eastern South Dakota and the southeast quadrant of the Twin Cities in Minnesota (Brookings Project).
• A 68-mile long, 230 kV transmission line between Bemidji, Minnesota and Grand Rapids, Minnesota.
On October 6, 2010, the Commission adopted an order granting an advance determination of prudence for Northern States Power Company's (NSP) participation and ownership in the same three high-voltage transmission line projects and, in addition, a 150-mile long, 345 kV transmission line between La Crosse, Wisconsin and the southeast Twin Cities, Minnesota area and two associated 161 kV lines in the Rochester, Minnesota area, Case No. PU-09-678.
The Commission's October 6, 2010 order required that Otter Tail and NSP (Applicants) make a filing providing additional information on the resolution of cost allocation issues relevant to the Brookings Project, including the impact on North Dakota. The Commission also required that Applicants make a filing evidencing the continued prudence of the Brookings Project and seeking Commission confirmation of continued prudence prior to executing a legally binding investment commitment for the major procurement and construction of the Brookings Project.
On April 29, 2011, Applicants made a compliance filing.
The issue to be considered in each case is whether the Brookings Project continues to be prudent.
A formal hearing on this matter has been scheduled for July 25, 2011 at 10:00 a.m. CDT in the Commission Hearing Room on the 12th Floor of the State Capitol in Bismarck.
For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400 or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials, please contact the Commission at least 24 hours in advance.
PUBLIC SERVICE COMMISSION
Kevin Cramer, Commissioner
Tony Clark, Chairman
Brian P. Kalk, Commissioner
5/25 - 606779

NOTICE OF SALE
Civil No. 08-10-C-02903
Notice is hereby given that by virtue of a judgment of foreclosure by the District Court of the South Central Judicial District in and for the County of Burleigh and State of North Dakota, and entered and docketed in the Office of the Clerk of said Court on April 8, 2011, in an action wherein Federal National Mortgage Association was Plaintiff and Jason P. Frohlich aka Jason Frohlich; Sarah A. Frohlich aka Sarah Frohlich; Arrow Financial Services, LLC; Washington Mutual Bank; Credit Bureau of Bismarck, Inc; Capital One Bank; and any person in possession were Defendants, in favor of Plaintiff and against the Defendants for the sum of \$131,014.01, which judgment and decree, among other things, direct the sale by me of the real property hereinafter described, to satisfy the amount of said judgment, with interest thereon and the costs and expenses of such sale, or so much thereof as by virtue of a writ issued to me out of the office of the Clerk of said Court, I, Pat D. Heinert, Sheriff of Burleigh County, North Dakota, will sell the property described in the judgment to the highest bidder for cash at the front door of the Courthouse in the

City of Bismarck in the County of Burleigh and State of North Dakota, on June 7, 2011, at the hour of 1:15 PM. (CT), to satisfy the amount due, with interest thereon, and the costs and expenses of such sale, or so much thereof as the proceeds of such sale will satisfy. The property to be sold is situated in the County of Burleigh and State of North Dakota, and described as follows:
Lot Ten (10), Block Four (4), Apple Valley Subdivision in the North Half of the Northwest Quarter (N1/2NW1/4) of Section Thirty-Six (36), Township One Hundred Thirty-Nine (139) North, Range Seventy-Nine (79) West of the Fifth Principal Meridian, Burleigh County, North Dakota aka 11936 Johnathan Avenue, Menoken, North Dakota 58501.
IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 3rd day of May, 2011.
/s/Pat D. Heinert
Pat D. Heinert
Sheriff of Burleigh County, North Dakota
By:/s/ Sharlene Schuh
Deputy
STATE OF NORTH DAKOTA)
COUNTY OF BURLEIGH)
On this 3rd day of May, 2011, before me, a Notary Public in and for said County and State, personally appeared Sharlene Schuh, known to me to be the person who is described in, and whose name is subscribed to this instrument.
/s/ Norma J. Braddock
Notary Public
Burleigh County, North Dakota
My Commission expires: 2/20/13 (Seal)
MACKOFF KELLOGG LAW FIRM
38 Second Avenue East
Dickinson, ND 58601
Attorneys for Plaintiff
(Published: 05/11 - 05/18 - 05/25)
5/11, 18 & 25 - 606704

NOTICE OF SALE
Civil No. 08-11-C-00024
Notice is hereby given that by virtue of a judgment of foreclosure by the District Court of the South Central Judicial District in and for the County of Burleigh and State of North Dakota, and entered and docketed in the Office of the Clerk of said Court on April 8, 2011, in an action wherein Federal National Mortgage Association was Plaintiff and Ervin C. Jacobson aka Ervin Jacobson aka Ervin C. Jacobson, Jr.; Sandra K. Jacobson aka Sandra Jacobson; Recovery Resources LLC; Douglas Dittus; Tamara Dittus; Credit Collections Bureau; Ford Motor Credit Company; and any person in possession were Defendants, in favor of Plaintiff and against the Defendants for the sum of \$239,454.85, which judgment and decree, among other things, direct the sale by me of the real property hereinafter described, to satisfy the amount of said judgment, with interest thereon and the costs and expenses of such sale, or so much thereof as the proceeds of said sale will satisfy; and by virtue of a writ issued to me out of the office of the Clerk of said Court, I, Pat D. Heinert, Sheriff of Burleigh County, North Dakota, will sell the property described in the judgment to the highest bidder for cash at public auction at the front door of the Courthouse in the City of Bismarck in the County of Burleigh and State of North Dakota, on June 6, 2011, at the hour of 1:15 PM. (CT), to satisfy the amount due, with interest thereon, and the costs and expenses of such sale, or so much thereof as the proceeds of such sale will satisfy. The property to be sold is situated in the County of Burleigh and State of North Dakota, and described as follows:
Lot One (1), Block One (1), Twin Buttes Subdivision located in the Southeast Quarter (SE1/4) of Section Twelve (12), Township One Hundred Thirty-Seven (137) North, Range Eighty (80) West of the Fifth Principal Meridian, Burleigh County, North Dakota aka 5121 Sagebrush Drive, Bismarck, ND 58504-4211.
IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 28th day of April, 2011.
/s/Pat D. Heinert
Pat D. Heinert
Sheriff of Burleigh County, North Dakota
By:/s/ Simon A. Scheett
Deputy
STATE OF NORTH DAKOTA)
COUNTY OF BURLEIGH)
On this 28th day of April, 2011, before me, a Notary Public in and for said County and State, personally appeared Simon A. Scheett, known to me to be the person who is described in, and whose name is subscribed to this instrument.
/s/ Lisa Calvert
Notary Public
Burleigh County, North Dakota
My Commission expires: 12/30/16 (Seal)
MACKOFF KELLOGG LAW FIRM
38 Second Avenue East
Dickinson, ND 58601
Attorneys for Plaintiff
(Published: 05/11 - 05/18 - 05/25)
5/11, 18 & 25 - 606682

INVITATION FOR BID
STANDING ROCK HOUSING AUTHORITY
(LIMITED PARTNERSHIPS)
(HAIL DAMAGE ROOFING/ HOME REPAIR)
SOLICITATION: The Standing Rock Housing Authority is soliciting for bids for **ROOFING REPLACEMENT AND HOME REPAIR** work. bids must be received no later than June 9th, 2011, at 1:00 p.m. central standard time. Bids received after this time will not be considered. The units are clustered sites and located within the Cannon Ball, district. There will be a mandatory pre-bid meeting/site visit to each unit. The pre-bid meeting will be held on May 25, 2011 at 9:00 a.m. at the Housing conference room. Perspective bidders will be required to attend.
BIDS: All bids must be in writing sealed and marked **(BID, ROOF WORK), NO FACSIMILES WILL BE ACCEPTED.** Bids will be submitted by on a per claim price and a lump sum total. Bids must state they will remain open for (60) sixty days.
SCOPE OF WORK: INCLUDES BUT NOT LIMITED TO THE FOLLOWING
1. Remove & replace existing roof shingles, metal roofing, sheathing and roof accessories, drywall, taping, texturing and painting as specified by Insurance Adjusters specification/adjustment.
2. Remove & replace all damaged vents, covers, roof edge, and gutter apron per adjusters estimate.
3. Remove & replace all gutters, downspouts, siding corners, screens, storm doors, windows and any other accessories as specified by Insurance Adjuster.
4. Coordinate with SRHA Inspector any and all question regarding work specifications.
5. Perform all carpentry as required, debris removal and magnetic clean-up around homes and driveways.
6. Contractor shall furnish complete 1-year warranty from closeout.
7. All material will be installed per manufacturer specifications.
INDIAN PREFERENCE
1. If a bidder is claiming Indian Preference on this Project, the bidder must be certified with the Standing Rock Sioux Tribal Employment Rights Office (TERO) prior to submitting their bid.
TAXES: ALL PERSPECTIVE BIDDER WILL BE RESPONSIBLE FOR ASCERTAINING INFORMATION ON ALL FEDERAL, STATE AND TRIBAL USE AND TERO TAXES.
CONTRACTOR AND SUBCONTRACTOR QUALIFICATIONS: The Contractor Shall supply as part of bid

documents the following: Workman's Compensation, Comprehensive Liability, to include vehicular liability and Contractor License for North/South Dakota.
BID GUARANTEE: The bid if in excess of \$100,000.00 must be accompanied by a bid guarantee. The guarantee shall not be less than five percent (5%) of the amount of the bid, in the form of a Bid Security secured by a surety company registered to do business in the State of South Dakota. The bidders are allowed to substitute a cashier's check drawn on a solvent State or National Bank located within the State of North Dakota/South Dakota. The proposal guarantee shall insure the execution of the contract and the furnishing of a satisfactory method of security by the successful bidder all as required by the Specifications.
Any questions can be director to Mr. Harvey Orcutt, Inspector, for Standing Rock Housing Authority, Executive Director Wilbur Red Tomahawk, Executive Director Standing Rock Housing Authority P.O. Box 769
Fort Yates, ND 58538
701-854-3891
5/13, 14, 16, 18, 21, 23 & 25 - 606729

Advertisement for Bids
SOUTH CENTRAL REGIONAL WATER DISTRICT
Owner
10700 Hwy 1804 North Bismarck, ND 58503
Address
Separate sealed Bids for the construction of the **Lake Oahe Standpipe, Contract 2010-3** will be received by the Board of Directors for the South Central Regional Water District (SCWD) at the SCWD office located adjacent to the North Burleigh Water Treatment Plant until **1:30 P.M., (Local Time) June 7, 2011** and then at said office publicly opened and read aloud.
The scope of WORK generally consists of furnishing and installing a single 680,000 (min) gallon glass-coated bolted steel or bolted stainless steel water storage tank, complete with inlet/outlet piping, overflow discharge piping, foundation, sitework, access road, underdrain, and other appurtenant items. The tank size is 42' diameter by 66' high. The Lake Oahe Standpipe is located in Emmons County approximately 14 miles west of the City of Linton, North Dakota. The OWNER reserves the right to award the contract, if awarded, based on the bid schedule and type of ground storage tank that is in the best interest of and most advantageous to the OWNER.
The Contract Documents may be examined at the office of the South Central Regional Water District, and at the following location(s):
BARTLETT & WEST
3456 East Century Avenue
P.O. Box 1077
Bismarck, ND 58502-1077
Telephone (701) 258-1110
Copies of the Contract Documents may be obtained at the Issuing Office, upon payment of \$75.00 for each set. **Checks shall be payable to Bartlett & West, Inc. No refunds will be made.**
All Bids must be made on the "Bid Form" included as part of these documents. Each BID must be accompanied by a separate envelope containing a copy of a current and valid **North Dakota Contractor's License** (must have been issued at least 10 calendar days before the date of Bid opening) and a **BIDDER'S Bond** equal to five percent of the full amount of the BID, executed by the BIDDER as Principal and by a SURETY, conditioned that if the Principal's BID is accepted and the CONTRACT awarded to the Principal, the Principal, within fifteen days after notice of award, shall execute a CONTRACT in accordance with terms of the BID and a CONTRACTOR'S BOND as required by law and the regulations and determinations of the **South Central Regional Water District.**
The Bidder is advised that the funding and/or regulatory agency for this project is (in whole or in part) the US Department of Agriculture/Rural Development (USDA/RD). Such agency requires compliance with the provisions of the American Recovery and Reinvestment Act of 2009 (ARRA).
Bidders on this work will be required to comply with the Presidents Executive Order No. 11246, as amended, 11458, 11518, and 11625. The requirements for bidders and contractors under this order are explained in the contract documents. The Owner reserves the right to hold all bids for a period of 61 days after the date fixed for the opening thereof, and to reject any or all bids, and to award the Contract, if awarded, to the Contractor with the Bid that is determined to be in the best interest and most advantageous to the Owner.
May 9, 2011 /s/ Doug Neibauer
Date Executive Director
5/11, 18 & 25 - 606718

Advertisement for Bids
SOUTH CENTRAL REGIONAL WATER DISTRICT
Owner
10700 Hwy 1804 North Bismarck, ND 58503
Address
Separate sealed Bids for the construction of the **Strasburg Standpipe, Contract 2011-2** will be received by the Board of Directors for the South Central Regional Water District (SCWD) at the SCWD office located adjacent to the North Burleigh Water Treatment Plant until **1:30 P.M., (Local Time) June 7, 2011** and then at said office publicly opened and read aloud.
The scope of WORK generally consists of furnishing and installing a single 244,000 (min) gallon glass-coated bolted steel or bolted stainless steel water storage tank, complete with inlet/outlet piping, overflow discharge piping, foundation, sitework, access road, underdrain, and other appurtenant items. The tank size is 25' diameter by 66' high. The Strasburg Standpipe is located in Emmons County approximately 15 miles west of the City of Strasburg, North Dakota. The OWNER reserves the right to award the contract, if awarded, based on the type of ground storage tank that is in the best interest of and most advantageous to the OWNER.
The Contract Documents may be examined at the office of the South Central Regional Water District, and at the following location(s):
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3456 East Century Avenue
P.O. Box 1077
Bismarck, ND 58502-1077
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accepted and the CONTRACT awarded to the Principal, the Principal, within fifteen days after notice of award, shall execute a CONTRACT in accordance with terms of the BID and a CONTRACTOR'S BOND as required by law and the regulations and determinations of the **South Central Regional Water District.**
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May 9, 2011 /s/ Doug Neibauer
Date Executive Director
5/11, 18 & 25 - 606717

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Owner
10700 Hwy 1804 North Bismarck, ND 58503
Address
Separate sealed Bids for the construction of the **Lake Oahe Standpipe, Contract 2010-3** will be received by the Board of Directors for the South Central Regional Water District (SCWD) at the SCWD office located adjacent to the North Burleigh Water Treatment Plant until **1:30 P.M., (Local Time) June 7, 2011** and then at said office publicly opened and read aloud.
The scope of WORK generally consists of furnishing and installing a single 680,000 (min) gallon glass-coated bolted steel or bolted stainless steel water storage tank, complete with inlet/outlet piping, overflow discharge piping, foundation, sitework, access road, underdrain, and other appurtenant items. The tank size is 42' diameter by 66' high. The Lake Oahe Standpipe is located in Emmons County approximately 14 miles west of the City of Linton, North Dakota. The OWNER reserves the right to award the contract, if awarded, based on the bid schedule and type of ground storage tank that is in the best interest of and most advantageous to the OWNER.
The Contract Documents may be examined at the office of the South Central Regional Water District, and at the following location(s):
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The Bidder is advised that the funding and/or regulatory agency for this project is (in whole or in part) the US Department of Agriculture/Rural Development (USDA/RD). Such agency requires compliance with the provisions of the American Recovery and Reinvestment Act of 2009 (ARRA).
Bidders on this work will be required to comply with the Presidents Executive Order No. 11246, as amended, 11458, 11518, and 11625. The requirements for bidders and contractors under this order are explained in the contract documents. The Owner reserves the right to hold all bids for a period of 61 days after the date fixed for the opening thereof, and to reject any or all bids, and to award the Contract, if awarded, to the Contractor with the Bid that is determined to be in the best interest and most advantageous to the Owner.
May 9, 2011 /s/ Doug Neibauer
Date Executive Director
5/11, 18 & 25 - 606718

Advertisement for Bids
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Owner
10700 Hwy 1804 North Bismarck, ND 58503
Address
Separate sealed Bids for the construction of the **Strasburg Standpipe, Contract 2011-2** will be received by the Board of Directors for the South Central Regional Water District (SCWD) at the SCWD office located adjacent to the North Burleigh Water Treatment Plant until **1:30 P.M., (Local Time) June 7, 2011** and then at said office publicly opened and read aloud.
The scope of WORK generally consists of furnishing and installing a single 244,000 (min) gallon glass-coated bolted steel or bolted stainless steel water storage tank, complete with inlet/outlet piping, overflow discharge piping, foundation, sitework, access road, underdrain, and other appurtenant items. The tank size is 25' diameter by 66' high. The Strasburg Standpipe is located in Emmons County approximately 15 miles west of the City of Strasburg, North Dakota. The OWNER reserves the right to award the contract, if awarded, based on the type of ground storage tank that is in the best interest of and most advantageous to the OWNER.
The Contract Documents may be examined at the office of the South Central Regional Water District, and at the following location(s):
BARTLETT & WEST
3456 East Century Avenue
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Bismarck, ND 58502-1077
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accepted and the CONTRACT awarded to the Principal, the Principal, within fifteen days after notice of award, shall execute a CONTRACT in accordance with terms of the BID and a CONTRACTOR'S BOND as required by law and the regulations and determinations of the **South Central Regional Water District.**
The Bidder is advised that the funding and/or regulatory agency for this project is (in whole or in part) the US Department of Agriculture/Rural Development (USDA/RD). Such agency requires compliance with the provisions of the American Recovery and Reinvestment Act of 2009 (ARRA).
Bidders on this work will be required to comply with the Presidents Executive Order No. 11246, as amended, 11458, 11518, and 11625. The requirements for bidders and contractors under this order are explained in the contract documents. The Owner reserves the right to hold all bids for a period of 61 days after the date fixed for the opening thereof, and to reject any or all bids, and to award the Contract, if awarded, to the Contractor with the Bid that is determined to be in the best interest and most advantageous to the Owner.
May 9, 2011 /s/ Doug Neibauer
Date Executive Director
5/11, 18 & 25 - 606717

Advertisement for Bids
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Owner
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Address
Separate sealed Bids for the construction of the **Lake Oahe Standpipe, Contract 2010-3** will be received by the Board of Directors for the South Central Regional Water District (SCWD) at the SCWD office located adjacent to the North Burleigh Water Treatment Plant until **1:30 P.M., (Local Time) June 7, 2011** and then at said office publicly opened and read aloud.
The scope of WORK generally consists of furnishing and installing a single 680,000 (min) gallon glass-coated bolted steel or bolted stainless steel water storage tank, complete with inlet/outlet piping, overflow discharge piping, foundation, sitework, access road, underdrain, and other appurtenant items. The tank size is 42' diameter by 66' high. The Lake Oahe Standpipe is located in Emmons County approximately 14 miles west of the City of Linton, North Dakota. The OWNER reserves the right to award the contract, if awarded, based on the bid schedule and type of ground storage tank that is in the best interest of and most advantageous to the OWNER.
The Contract Documents may be examined at the office of the South Central Regional Water District, and at the following location(s):
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3456 East Century Avenue
P.O. Box 1077
Bismarck, ND 58502-1077
Telephone (701) 258-1110
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accepted and the CONTRACT awarded to the Principal, the Principal, within fifteen days after notice of award, shall execute a CONTRACT in accordance with terms of the BID and a CONTRACTOR'S BOND as required by law and the regulations and determinations of the **South Central Regional Water District.**
The Bidder is advised that the funding and/or regulatory agency for this project is (in whole or in part) the US Department of Agriculture/Rural Development (USDA/RD). Such agency requires compliance with the provisions of the American Recovery and Reinvestment Act of 2009 (ARRA).
Bidders on this work will be required to comply with the Presidents Executive Order No. 11246, as amended, 11458, 11518, and 11625. The requirements for bidders and contractors under this order are explained in the contract documents. The Owner reserves the right to hold all bids for a period of 61 days after the date fixed for the opening thereof, and to reject any or all bids, and to award the Contract, if awarded, to the Contractor with the Bid that is determined to be in the best interest and most advantageous to the Owner.
May 9, 2011 /s/ Doug Neibauer
Date Executive Director
5/11, 18 & 25 - 606717

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Owner
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Address
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The scope of WORK generally consists of furnishing and installing a single 244,000 (min) gallon glass-coated bolted steel or bolted stainless steel water storage tank, complete with inlet/outlet piping, overflow discharge piping, foundation, sitework, access road, underdrain, and other appurtenant items. The tank size is 25' diameter by 66' high. The Strasburg Standpipe is located in Emmons County approximately 15 miles west of the City of Strasburg, North Dakota. The OWNER reserves the right to award the contract, if awarded, based on the type of ground storage tank that is in the best interest of and most advantageous to the OWNER.
The Contract Documents may be examined at the office of the South Central Regional Water District, and at the following location(s):
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May 9, 2011 /s/ Doug Neibauer
Date Executive Director
5/11, 18 & 25 - 606717

public opening of the Bids.
Dated this 23rd day of May 2011.
By: /s/ Trish Skogland, City Auditor
Watford City, North Dakota
5/25, 6/1 & 8 - 606781

BISMARCK BOARD OF CITY COMMISSIONERS UNOFFICIAL MINUTES OF MAY 10, 2011
Board of City Commissioners met in regular session on May 10, 2011 with following present: Seminary, Smith, Askvig, Grossman and Warford.
1. Approve minutes of April 25, 2011 special meeting and April 26, 2011 regular meeting. Askvig moved to approve minutes. Grossman seconded. All members voted Aye. Motion carried.
2. CONSENT AGENDA A. Approve vouchers 1015748 to 1016303. B. Personnel actions. C. Tax abatement applications. D. City Attorney: Approve Bond Counsel Services Agreement between City of Bismarck and Ohnsted Twitchell PC. E. Approve Northern Plains Commerce Centre (NPCC) lease for Mains Crane. F. Police Dept: Authorize Bismarck Law Enforcement Chaplaincy to solicit donations for 2011 Bismarck Police Department Benefit Golf Tournament. G. Finance Dept: Approve participation in wireless buyback program through AT&T.H. Service Ops Dept: Permission to purchase one 3/4 ton pickup truck under state bid for Roads and Street division. I. Engineering Dept: Permission to enter into agreement with Montana-Dakota Utilities (MDU) to use dedicated right of way on north Hamilton St: Request from Loran Galpin for Encroachment and Waiver Agreement for Town Centre. J. Call for public hearing: Ord 5821 - addition of class O, microbrewery license to classes of retail licenses. K. Community Development Dept: Call for public hearing: Ord 5822 - annexation of Lots 1-3, Block 1, Oxentenko Commercial Properties; Call for public hearing: Ord 5823 - annexation of Lots 1-10, Block 1; Lot 1, Block 2; Lots 1-2, Block 3; Lots 1-2, Block 4; Lot 1, Block 5 and Lot 1, Block 7, Sattler's Sunrise 6th Addition; Call for public hearing: Ord 5824 - annexation of Lots 19-25, Block 2 and Lots 1-3, Block 4, Sattler's Sunrise 8th Addition; Call for public hearing: Ord 5825 - zoning change for Lots 1-24, Block 3, Lots 5-9, Block 1, Lots 3-4, Block 1 and Lots 2-4, Block 2 Lots 1-2, Block 1 and Lot 1, Block 2, Sonnet Heights Subdivision 5th Replat. Addendum: Reappoint Richard W. Weber and Elizabeth A. Lucas to Library Board. Askvig and Grossman each requested Item J pulled from agenda. Askvig moved to approve remaining items on consent agenda. Smith seconded. All member voted Aye. Motion carried.
Item J - Introduction of and call for public hearing on Ord 5821 relating to addition of class O, microbrewery license to classes of retail licenses. Askvig said zoning ordinances don't allow us to have more than 5,000 barrels so he wants this amended from 10,000 to 5,000 before this is introduced and public hearing in called for. Grossman felt that 10,000 barrels was excessive. He is also concerned about section where it says may sell beer produced off premises, on-sale only, so long as sales of beer produced off premises do not exceed 20% of licensee's total beer sales and how that would be audited. Charlie Whitman, City Attorney, said in other situations where there is a percentage requirement, they are required to provide certified annual financial report that shows what their sales were to prove that they haven't exceeded that amount and it's done upon request. Grossman thinks this should be mandatory and done on regular basis without city specifically having to request it. Mr. Whitman said he can add that language before it is presented at next meeting. Grossman wants it added. Askvig says that language should be added to all classes of licenses that contain a breakdown percentage. Askvig moved to amend ordinance from 10,000 to 5,000 barrels and require an annual certified financial report for Class O license similar to that required for other percentage licensees and to call for introduction of and call for a public hearing on this ordinance, as well as direct staff to make the necessary amendments, if any, to other liquor license ordinances with regard to percentage reporting as well. Smith seconded. All members voted Aye. Motion carried.
REGULAR AGENDA
3. 2010 Annual Report for Mayor's Committee on Human Relations.
Joel Boon, Human Relations Committee Vice Chair, appeared before the Board to highlight a few items from report. Mr. Boon invited anyone wishing to attend their meetings to come. They meet third Monday of every month in first floor conference room of City/County Building at 5:15 p.m. Askvig said in report it mentions exploring potential partnerships with area groups so he asked who those groups would be. Mr. Boon said other groups who might share overlapping interests with mission of Human Relations Committee. Board received the report and took no action.
4. Request from Metropolitan Planning Organization that Steve Saunders appear before Board as part of PUBLIC MEETING to review Bis-Man Transits request for 2011 Transit Operations Grant. Commission permission to proceed with grant application will be requested by Mr. Saunders following public meeting.
Steve Saunders, Transportation Planner, requested Board hold public meeting to discuss Bis-Man Transit's request for \$560,564 in federal funding for 2011 Transit Operating Grant Request. His second request following public meeting is for approval to pursue 2011 Transit Operating Grant for Bis-Man Transit. This meeting was advertised on April 1, 2011 and one member of public provided comment which was provided to Board. After discussion between Mr. Saunders and the Board, the public hearing was opened. There were no oral hearings. Grossman moved to approve proceeding with grant application. Smith seconded. All member voted Aye. Motion carried.
5. Street Improvement District 434: Bids from: Don's Electric - 527,335.43; Edling Electric - 564,384.50; Strata Corporation - 569,190.00 (Engineer's Estimate of 545,985.40). Askvig introduced Resolution Receiving Bids and Ordering Preparation of Engineer's Statement. The Special Assessment Analyst reported that the only protests so filed were one written protest in Unit 1 (residential property) and one written protest in Unit 4 (commercial property). No persons appeared to protest. Askvig introduced Resolution Determining Insufficiency of Protests and Resolution Awarding Contract for the Construction to Don's Electric for \$527,335.43. Seminary seconded the motions on the foregoing resolutions. All members voted Aye. Motion carried and said resolutions were declared duly passed and adopted.
6. Offer for purchase of the City's reach-stacker. Charlie Whitman, City Attorney, said only bid received was: Boatwright Truck Sales - 120,000. Terms of bid were that everything is at buyer's expense after sale is complete. Reach-stacker will have to be dismantled to transport it. Grossman moved to award bid to Boatwright Truck Sales for \$120,000. Seminary seconded. All members voted Aye. Motion carried.
7. Civic Center: Approval of their Building Policies and Procedures. Grossman said he understands parties that had questions or concerns with certain policies or procedures have met already met with Charlie Jeske, Civic Center General Manager. Grossman moved to approve request. Seminary seconded. All members voted Aye. Motion carried.

8. Engineering Dept: a) Approval of Engineering Consulting Selection Engineering Services Agreement for East Divide Avenue Project. Seminary removed himself from table for this agenda item. Mark Berg, Traffic Engineer, asked for approval of selection committee's recommendation to hire Kadmas, Lee & Jackson (KLJ) to prepare preliminary engineering and environmental documentation for East Divide Ave project. Agreement is structured to allow for multi-phases with Phase I being that KLJ will be compensated up to amount of \$279,165.21. Askvig moved to approve request. Grossman seconded. All members present voted Aye. Motion carried.
b) Bids for Earthmoving Equipment Rental for 2011. Bids received: Guthmiller & Son - 186,388.50; Mariner Construction - 192,790.00 (Engineer's Estimate - 187,900.00). Seminary moved to award the bid to Guthmiller & Sons for \$186,388.50, subject to review and checking. Smith seconded. All members voted Aye. Motion carried.
c) Community Development Dept: a) Minor subdivision final plat for North Hills Fifteenth Replat, requested by Koch Construction, Inc. Bismarck Planning & Zoning Commission recommends approval. Seminary moved to approve request. Grossman seconded. All members voted Aye. Motion carried. b) Resolution recognizing surveyor's Affidavit for Country Creek 3rd Subdivision and resolving modified lots to be conforming. Staff recommendations approval. Seminary removed himself from table for this agenda item. Grossman moved to approve request. Smith seconded. All members present voted Aye. Motion carried. Seminary was absent and not voting. Seminary rejoined the table. c) Approval of 2011 Annual Action plan and Community Development Block Grant application for an estimated \$313,102 plus \$15,098 in unspent funds from prior years to be

PUBLIC NOTICE

CIVIC CENTER REQUESTING BIDS FOR ASSORTED TABLES & CARTS

Separate sealed bids, in duplicate, for assorted tables/carts will be received by Board of City Commissioners, Bismarck, North Dakota, until 3PM Central Standard Time June 7, 2011. The bids must be mailed to or deposited with the Bismarck Civic Center, 315 S 5th Street, Bismarck, North Dakota 58504.

Bid opening will be at 4PM June 7, 2011 at the City/County Building, 1st floor Conference Room at 221 N 5th Street, Bismarck, North Dakota. All bidders are invited to be present at the bid opening. Bids must be submitted in accordance with specifications and conditions therein contained. Bid Specifications can be picked up at the Civic Center Administration Office, 315 S 5th St., Bismarck ND 58504 or can be requested by contacting the Civic Center at 701-355-1370.

If you have any questions, please contact Ron Staiger at 701-355-1381 or 701-220-6555.

5/25 & 31 - 606775

Deadlines

PUBLISH BY	RECEIVE BY
Mon.	Thurs. 12 Noon
Tues.	Fri. 12 Noon
Wed.	Mon. Noon
Thurs.	Mon. 5PM
Friday	Tues. 5PM
Sat.	Wed. 12 Noon