

Public Notices

Public Notice:

Missouri, Telfer, and Boyd Townships Zoning Board and Missouri Township will have a meeting to discuss rezoning from agricultural to residential on the following parcels: 20 acre plots in the NE1/4 corner of NE1/4 S13 T137N R79W Missouri Township (Holt), 10 acres in the NE corner of SE1/4 S20 T138N R78W Boyd Township (Kalonick). Also to be discussed will be building permit processes, 911 address issuance, and other general zoning business. A meeting will be held on July 7, 2021 at 7:30 PM at Menoken School, 412 Bismarck St N, Menoken ND 58558. Andy Bunrock, clerk Missouri, Telfer, Boyd Township Zoning 6/22, 29 & 7/6 - 29846

NOTICE OF PUBLIC HEARING

Notice is hereby given of a public hearing by the Burleigh County Committee for School District Reorganization to hear testimony for the purpose of an annexation from the Wilton Public School District No. 1 to the Bismarck School District No. 1 as described below: CROFTE TOWNSHIP Section 28 S1 2NW1/4SW1/4 28-141-79 Wilton Public School District #1 Westernmost 1/33 of an acre of CROFTE TOWNSHIP Section 28 SW1/4SW1/4 685674 28-141-79 measuring 1320 ft from North to South and 1 ft from East to West Wilton Public School District #1 The public hearing will be held on Tuesday July 13, at 5:00 p.m. in Board Room #2 in the Hughes Education Building, 806 North Washington Street, Bismarck ND. The hearing is held in accordance with the provisions of the North Dakota Century Code, Chapter 15.1-12. Dated at Bismarck, ND, this 22nd day of June, 2021 Michael Heilman, County Superintendent of Schools Burleigh County 6/29 & 7/6 - 29995

STATE OF NORTH DAKOTA IN DISTRICT COURT COUNTY OF BURLEIGH SOUTH CENTRAL JUDICIAL DISTRICT IN THE MATTER OF THE ESTATE OF MARY ANN MESSMER PROBATE NO. 08-2021-PR-00171

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 Terrence M. Messmer, Jr., personal representative of the estate, at 10391 Claudia Lane, Santee, California 92071, or filed with the Court. Dated this 17th day of June, 2021. David A. Tschider I.D.# 04224 /s/ Terrence M. Messmer, Jr. Terrence M. Messmer, Jr. Personal Representative 10391 Claudia Lane Santee CA 92071 Tschider & Smith 2005 N. Kavaney Dr., Ste. 100 PO Box 754 Bismarck, ND 58502 Attorney For Estate First publication on the 22nd day of June, 2021. PUBLICATION DATES: June 22, 2021, June 22, 2021, July 6, 2021 6/22, 29 & 7/6 - 29826

ABBREVIATED NOTICE OF INTENT TO AMEND ADMINISTRATIVE RULES

relating to the Licensing Of Unmanned Aerial Applicator Businesses **North Dakota Aeronautics Commission** will hold a public hearing to address proposed changes to the N.D. Admin. Code. **North Dakota Aeronautics Commission Office 2301 University Drive Building 22 Bismarck, ND Tues., Aug. 10th, 2021 9:00 a.m.** A copy of the proposed rules may be requested by calling 701-328-9650. Also, written comments may be submitted to P.O. Box 5020, Bismarck, ND 58502 until August 20th, 2021. If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the North Dakota Aeronautics Commission at the above telephone number or address at least one day prior to the public hearing. Dated this 22nd day of June, 2021. Kyle Wannier North Dakota Aeronautics Commission Director 6/29 - 30184

To Place a Legal Advertisement

Call 355-8816 or Fax 223-0959 or Email legal@bismarcktribune.com

These vehicles have been impounded by the North Dakota Highway Patrol and we are seeking the rightful owner. Vehicle: 1997 Chevrolet Astro Van License Plate: IO: KHU057 VIN: 1GBDM19W0VB131240 Location: I94 MM 161 Date of Impound: 5/15/2021 Place of Storage: Ace Towing 910 Industrial Dr Bismarck, ND 58501 (701) 258-0451 or (888) 505-0451 Impounding Agency: North Dakota Highway Patrol Southwest Region 601 Channel Drive Bismarck, ND 58501-7757 (701) 328-2467 or Toll Free (844) 474-6347 Registered Owner: Dakota Katcher Lienholder: None per Iowa MV County Impounded: Burleigh Owner and/or lienholder have 30 days to claim the vehicle from the date of publication or the towing/storage business or LE agency will be granted legal ownership of the vehicle. 6/29 - 30119

Pebble Creek Golf Course - Cart Path Improvements Bismarck Parks and Recreation District Apex Project# 21.184.0069

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 Pebble Creek GC - Randy Bina, 400 E Front Ave, Bismarck, North Dakota 58504** until 02:00 pm on July 7, 2021 at which time they will be publicly opened and read aloud for the construction of the Pebble Creek Golf Course - Cart Path 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 and 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 #7878677). 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 Approximately 1,053 LF of concrete Cart path. Bids will be received as a Unit Price bid for General Construction. The Owner intends to award the Bid on the basis of the low bid submitted by a responsible and responsive bidder for the aggregate sum of all bid items. 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. Upon commencing the Work on site, the Contractor shall achieve Substantial Completion within 21 calendar days. The Work under this Contract shall be Substantially Completed by September 15, 2021 and shall achieve Final Completion by October 15, 2021. ALL QUESTIONS REGARDING THE CONTRACT DOCUMENTS SHALL BE DIRECTED TO THE OFFICE OF: Apex Engineering Group, Inc., Susan Hazelett, PE at 701-224.3101 or by email at Susan.Hazelett@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 15th day of June 2021. Randy Bina Executive Director Bismarck Parks & Recreation District Bismarck, ND Published June 15, June 22, June 29th. 6/15, 22 & 29 - 29306

Public Notice for DB Waste, LLC - Permit Modification

A request for a solid waste facility permit modification has been submitted to the North Dakota Department of Environmental Quality by DB Waste, LLC located in portions of Sections 11 and 12 in Township 140 North, Range 81 West, of Burleigh County, North Dakota. 6/15 & 29 - 29479

REQUEST FOR PROPOSALS FOR ENGINEERING SERVICES ON A PROJECT TO IMPROVE ASH COULEE DRIVE IN THE CITY OF BISMARCK

This is a request for proposals from qualified engineering firms for project development, preliminary engineering, design, plan preparation, contract administration, and construction inspection for the reconstruction of Ash Coulee Drive between Tyler Parkway/NW 15th Street and N Washington Street. The City of Bismarck intends to contract with a single consultant for all phases of work and execute one cost plus fixed fee contract requiring monthly billings with the selected firm. The City of Bismarck reserves the right to assign work in phases. Project work items may be added or removed from the contract by work authorization or supplementary agreement. The Request for Proposals (RFP) is available on the City of Bismarck website <http://www.bismarcknd.gov/17/Engineering>. Questions regarding the RFP should be directed to Mark A. Berg, PE, Traffic Engineer, at the office of City Engineer at 221 N. 5th Street, Bismarck, North Dakota, telephone (701) 355-1505, mberg@bismarcknd.gov or fax (701) 222-6593. Title VI assures that no person or group of persons may, on the grounds of race, color, national origin, sex, age, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs or activities administered by the City of Bismarck. The City of Bismarck 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 City of Bismarck programs and information.

Appropriate provisions will be considered when the City of Bismarck is notified at least 10 days prior to the meeting date or the date the written material translation is needed. To request accommodations, contact (Robert McConnell, Director of Human Resources and Title VI Coordinator for the City of Bismarck at (701-355-1337) or (rmcconnell@bismarcknd.gov). TTY users may use Relay North Dakota at 711 or 1-800-366-6888. Proposals from qualified consultants will be accepted until 4:00 p.m. on July 16, 2021. Submit eight (8) hard copies and one PDF copy of proposal to: Gabe Schell, P.E. City Engineer 221 North Fifth Street P.O. Box 5503 Bismarck, ND 58506-5503 6/22 & 29 - 29844

CHAPTER 13-03 (WEED CONTROL)

13-03-01. Authority. 1. The City Forester shall have the duties and authority as provided by this section. 2. All weeds, tall grasses exceeding (8) eight inches in height, and unhealthy vegetation exceeding eight (8) inches in height growing within the limits of the city are hereby declared to be a public nuisance. It shall be the duty of every person owning, occupying, or in charge of any premises, lot or parcel of land in the city to keep that premises, parcel or lot, including the adjacent rights-of-way, berms and boulevards free from all weeds, long grasses and unhealthy vegetation by cutting or destroying them at all times during the growing season. Medians separating street sections shall not be included in the requirements of this section. 3. "Weeds" as used in this chapter shall include all weeds contained in North Dakota Administrative Code Section 7-06-01-02 as it defines "noxious weeds." 4. "Tall grasses" shall mean all weeds not contained in North Dakota Administrative Code Section 7-06-01-02 in excess of eight (8) inches in height and all grasses in excess of eight (8) inches in height. Tall grasses may be used for ornamental plantings subject to the following conditions: a. Tall grasses may not be used as lawn cover. b. Tall grasses may not be planted on the public right-of-way without the written permission of the city traffic engineer. c. Tall grasses may not be planted or maintained within a sight triangle, as defined by Section 14-02-03, in excess of thirty-six (36) inches in height above the adjacent curb level. d. Plantings of tall grasses must be maintained in a weed free condition. 5. "Unhealthy vegetation" shall include, but not be limited to the following: a. Volunteer trees capable of being cut with mowing equipment. b. Ornamental plantings overgrown with weeds. (Ord. 5487, 03-14-06; Ord. 5715, 04-28-09); (Ord. 6039, 04-08-14; Ord. 6156, 10-13-15; Ord. 6202, 04-26-16) 13-03-02. Control/Duty. It is the duty of every person owning, occupying or in charge of any premises, lot or parcel of land to cut, eradicate or control any weeds, tall grasses exceeding (8) eight inches in height, and unhealthy vegetation exceeding eight (8) inches in height, to

prevent them from becoming a public nuisance. (Ord. 6039, 04-08-14) 13-03-03. Notice by Publication of Ordinance. It shall be the duty of the City Forester to cause a notice of the contents of this chapter to be published in the official newspaper of the City once within three days of May 1 and May 15 and once again within three days of June 15 and July 1. These publications shall serve as notice to all landowners, occupants or persons in charge of land of the requirements of this chapter. These publications shall also serve as the official notice to property owners to cut weeds, tall grass and unhealthy vegetation. Other methods of notification, such as the media and City of Bismarck's website may also be used to notify landowner, occupants or persons in charge to control weeds, tall grass and unhealthy vegetation. (Ord. 5487, 03-14-06); (Ord. 6039, 04-08-14; Ord. 6156, 10-13-15; Ord. 6202, 04-26-16)

13-03-04. Eradication, Cutting or Control of Weeds, Tall Grasses and Unhealthy Vegetation by the City Forester. At a minimum, all property shall be mowed by June 1, mowed again by July 1, mowed again by August 1 and, if necessary, mowed again by September 1 of each year to comply with the provisions of this chapter. The City Forester may order more frequent cuttings, eradications or controlling of weeds, tall grass and unhealthy vegetation if necessary for compliance with this chapter and such notice may be given in person, via telephone or by letter. 1. Whenever any person, firm or corporation owning, occupying or in charge of any premises, lot, or parcel of land within the city, shall fail, neglect or refuse to mow the property at least once by June 1, again by July 1 and again by August 1 of each year in accordance with the provisions of this section or shall fail to eradicate, cut or control weeds, tall grasses or unhealthy vegetation within 7 days of receipt of notice from the City Forester, the City Forester shall order the nuisance to be abated by eradicating, cutting or controlling the weeds, tall grasses or unhealthy vegetation in a manner as specified by the City Forester, if the City Forester has first complied with the notice requirements of this Section and Section 13-03-03. A person, firm or corporation notified of impending City action may cause the eradication, cutting or control of the weeds, tall grasses or unhealthy vegetation at any time before the City eradicates, cuts or controls the weeds, tall grasses or unhealthy vegetation located on the property or may appeal the order of the City Forester in writing to the Office of City Administration within five (5) days of receipt of notice or posting of notice from the City Forester to eradicate, cut or control the weeds, tall grasses or unhealthy vegetation. The appeal shall be heard by the Board of City Commissioners at their next scheduled meeting. (Ord. 5487, 03-14-06); (Ord. 6039, 04-08-14; Ord. 6156, 10-13-15; Ord. 6202, 04-26-16)

13-03-04.1. Exemptions From Cutting or Mowing. A property may be exempt from the cutting or mowing requirements listed in this Chapter if such exemption is approved by the City Forester based upon his/her conclusion that an exemption is warranted due to safety concerns, environmental concerns, aesthetic benefits or economic efficiency. Conditions or situations in which such an exemption may be granted shall include but not be limited to property that: 1. Cannot be safely mowed. 2. Is highly erodible. 3. Is undevelopable. 4. Is located in an undisturbed natural area. 5. Is densely wooded. 6. Is too wet to mow, such as marsh, wetland or storm water drainage, pond, or feature, either natural or man-made. 7. Is zoned agricultural or is legally used for bona-fide agricultural practices. (Ord. 6039, 04-08-14; Ord. 6156, 10-13-15; Ord. 6202, 04-26-16)

13-03-05. Costs Assessed Against Property. When the City has affected the eradication, cutting or control of weeds, tall grasses or unhealthy vegetation, or has contracted for and paid for the eradication, cutting or control of the weeds, tall grasses or unhealthy vegetation, the actual cost thereof, including an administrative fee as approved by the city commission, must be charged and assessed against the property upon which the weeds, tall grasses or unhealthy vegetation were eradicated, cut or controlled. An assessment list showing the costs against each lot or tracts to be assessed shall be prepared as are other special assessment lists and shall be approved by the Board of City Commissioners. All procedures under state law for certification, appeal, payment and collection of special assessments shall apply. (Ord. 6039, 04-08-14; Ord. 6374, 04-09-19)

13-03-06. Cooperation. Nothing in this chapter shall in any way affect the City's ability to levy for weed and tall grass control nor prevent the City from contracting with or cooperating with any other board or jurisdiction for the control of weeds, tall grasses or unhealthy vegetation. The City Forester may delegate all or some of the duties required under this section to a member or members of the Public Works staff. Source: Home Rule Charter for the City of Bismarck, Article 3 and NDCC Chapter 63-01.1; (Ord. 6039, 04-08-14; Ord. 6156, 10-13-15; Ord. 6202, 04-26-16) 4/30, 5/14, 6/15 & 29 - 26003

North Dakota newspapers also post public notices that are printed in newspapers on www.ndpublicnotices.com at no additional charge to units of government.