

2019 HOUSE POLITICAL SUBDIVISIONS

HB 1229

2019 HOUSE STANDING COMMITTEE MINUTES

Political Subdivisions Committee Prairie Room, State Capitol

1/24/2019

HB 1229

Job # 31456

Subcommittee

Conference Committee

Committee Clerk: Carmen Hickle

Explanation or reason for introduction of bill/resolution:

Relating to county notification requirements

Minutes:

1,2,3,4,5,6,7,8,9,10,11,12,13

Chairman J. Dockter: Opens the hearing on HB 1229.

Vice Chairman Pyle: (Handouts 1,2,3,4,5,6) Introduced HB 1229 and read her testimony.

Rep. Longmuir: What is the projected savings if you do this?

Vice Chairman Pyle: I am going to have other people respond to this. I do know it's at least \$1000 per month for the bigger cities.

Rep. Ertelt: How do you deal with a situation where the information is not available on line? How long is the information to be kept?

Vice Chairman Pyle: They could be printed off the website. As far as the notice on the website for an ordinance change if you look at small town ordinance books they shove them in the back of a binder. It takes a lot to revamp an entire ordinance book. To put it in a chapter format it takes months.

Rep. Magrum: Do you know if they are archiving information through the web so people can find this information later?

Vice Chairman Pyle: That is always a possibility. As technology improves everything is going digital communication style. That would be something I would recommend League of Cities or Association of Counties to have their auditors start looking at.

Donnell Preskey: ND Associations of Counties (Handouts 7,8). She read her testimony.

Rep K. Koppelman: The interim judiciary committee didn't recommend this bill, correct? This was something you advanced as a result of that committee not forwarding a bill that would have removed the requirements for publication?

Ms. Preskey: Yes.

Rep. Magrum: Could you tell the committee what was forwarded from the interim committee study? What was in the bill and what was forwarded?

Ms. Preskey: In Senate bill 2035 are the notice of elections for commodity groups with county representatives. It's been the expense of the county to list that notice of the election and the proposal is to make that requirement to be paid for by the commodity group instead of the county. The other thing is changing a date for the notice of financial statements.

Rep. Magrum: Do you believe this would increase transparency in government or reduce it?

Ms. Preskey: That information is in the county auditor's office, it could be on line. As for listing every expense this would reduce transparency.

(19:56) Michael Montplaisir: Cass County Auditor; (Handout 9). Read his testimony.

Rep. Johnson: Can you export the check information?

Mr. Montplaisir: Yes.

Erica Johnsrud: Auditor and Treasurer in McKenzie County. In the past 5 months we have an average cost that print our minutes of \$800. About half of that is our bills. So over a year we are looking at \$4800 in savings. Our minutes in McKenzie County are available on line which include our bills from 1996 to current. We publish them on the website the day our minutes are approved. They are not available in our newspaper for at least another week.

Rep. Ertelt: How long are records required to be retained by the county in hardcopy?

Ms. Johnsrud: Our vouchers, which is the actual detail are required to be kept current year plus 3 years. Our minutes are required to be forever.

Stephanie Dassinger: Deputy Director and Attorney for League of Cities. (Handout 10). Read her testimony.

Steve Andrist: Executive Director if ND Newspaper Association. (Handout 11). Read his testimony.

Rep. Johnson: Regarding the first survey 70% would most likely not read public notice, was that coupled with the question are you interested in public notices? Maybe 70% would not read them at all no matter where they are published.

Mr. Andrist: The survey did not ask the question. We do not know at this point how many people read public notices. I can send it to you the details on that survey.

Rep. Johnson: The bill passed in Judiciary last week, what public notices?

Mr. Andrist: The bill specifies any public notices that are published in the newspaper needs to also be published to this site centralized website.

Rep. Longmuir: In your survey's did you do you anything age specific?

Mr. Andrist: We do have some age/sex data that is associated with the survey.

Rep. Fegley: How many newspapers have gone to electronic websites?

Mr. Andrist: There are 88 newspapers in the state and most of them have something on the website. Some more sophisticated than others.

Rep. Magrum: Could you explain the bill we passed through the house and what the newspaper association is planning on doing with that?

Mr. Andrist: The website is fully searchable that loads all public notices that are published in any newspaper in ND. If a newspaper publishes public notices it is required by state law to upload those notices onto this website. You can get this at ndpublicnotices.com
Left written testimony #12 from Terry Schwarzenberger.

Paul Erdelt: Editor and Publisher of Steele Ozone and Kidder County Press: (Handout 13).

Rep K. Koppelman: Is there any way to facilitate this in areas where it makes no sense because of the testimony we heard and preserve it in areas like yours where it may make some sense? Do you think the counties in your area would continue to publish because it does make sense?

Mr. Erdelt: I believe so. We get phone calls about public notices one a month which is significant.

Chairman J. Dockter: Closed the hearing

2019 HOUSE STANDING COMMITTEE MINUTES

Political Subdivisions Committee Prairie Room, State Capitol

HB 1229
1/24/2019
Job # 32025

- Subcommittee
 Conference Committee

Committee Clerk Signature	Carmen Hickle
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Explanation or reason for introduction of bill/resolution:

Relating to county notification requirements

Minutes:

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Chairman J. Dockter: Opened for committee work.

Rep. Longmuir: Made a do not pass motion.

Rep. Simons: Second the motion.

Rep. Longmuir: A majority of my constituents are not computer people nor have access to get to websites. In elections whether to publish minutes in the paper carries by over 85% of the people. In my district they would then lose the benefit of knowing what is happening.

Rep. Guggisberg: I am going to resist this motion, I realize in some communities it might be important to them and if they decide to they can still continue to do this but by putting this type of law in state statute it's an unfunded mandate. We are telling them what to do and not providing resources for it.

Vice Chairman Pyle: It's an option and it's not mandated that it has to be one of the other, it can be both.

Rep K. Koppelman: It is a revenue source for the newspapers. But should the state be forcing tax dollars to help private businesses thrive?

Rep. Ertelt: There are constituents that don't use on line services. This is a transparency issue and it's less than \$10,000 per county to publish this information.

Rep. Guggisberg: This is the state telling them they have to do something without the state providing resources. If we were to put an appropriation on to the counties and cities to pay for it, I would be fine with it.

Vote: yes 6, no 8, absent 0. Failed

Rep. Johnson: Made a do pass motion.

Rep. Adams: Second the motion.

Rep. Simons: I ran to make government more transparent, but my constituents will not understand.

Rep. Magrum: I represent the most elderly population in the state and they do read the minutes. In the newspaper it's printed and archived. This is the way of the future but we are not there yet.

Chairman J. Dockter: This bill gives them an option. So if people in your areas want to have them published they can, but it's an option.

Vote yes, 9, no 5, no 0.

Rep. Adams: Will carry the bill.

Date: 2-1-19
 Roll Call Vote #: 1

**2019 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 1229**

House Political Subdivisions Committee

Subcommittee

Amendment LC# or Description: _____

- Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Rep. Longmuir Seconded By Rep. Simone

Representatives	Yes	No	Representatives	Yes	No
Chairman J. Dockter:		/			
Vice Chairman Pyle:		/			
Rep. Ertelt:	/				
Rep. Fegley:		/			
Rep. Hatlestad:		/			
Rep. Johnson	/	/			
Rep K. Koppelman:		/			
Rep. Longmuir	/				
Rep. Magrum:	/				
Rep. Simons:	/				
Rep. Toman:	/				
Rep. Strinden:		/			
Rep. Adams:		/			
Rep. Guggisberg		/			

Total (Yes) 6 No 8

Absent 0

Floor Assignment Rep. Longmuir

If the vote is on an amendment, briefly indicate intent:

Date: 2-1-19
 Roll Call Vote #: 2

**2019 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 1229**

House Political Subdivisions Committee

Subcommittee

Amendment LC# or Description: _____

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Rep. Johnson Seconded By Rep. Adams

Representatives	Yes	No	Representatives	Yes	No
Chairman J. Dockter:	/				
Vice Chairman Pyle:	/				
Rep. Ertelt:		/			
Rep. Fegley:	/				
Rep. Hatlestad:	/				
Rep. Johnson:	/				
Rep K. Koppelman:	/				
Rep. Longmuir:		/			
Rep. Magrum:		/			
Rep. Simons:		/			
Rep. Toman:		/			
Rep. Strinden:	/				
Rep. Adams:	/				
Rep. Guggisberg:	/				

Total (Yes) 9 No 5

Absent 0

Floor Assignment Rep. Adams

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1229: Political Subdivisions Committee (Rep. Dockter, Chairman) recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1229 was placed on the Eleventh order on the calendar.

2019 TESTIMONY

HB 1229

#1
1-24-19

Testimony HB 1229
Political Sub
1.24.17

Good afternoon Chairman Dockter and Political Subdivisions committee. For the record my name is Brandy Pyle and I represent district 22. I am here today to present HB 1229 for your consideration. HB1229 would change language in chapter 11-11-35 to allow the option for counties not to publish the orders and vouchers for payment of moneys in the official news paper if it is made available otherwise on the County's official website.

In your packet you will see scans of the orders and vouchers also known as the bills for payment. This is an excerpt from the City of West Fargo, but illustrates how the orders and vouchers are printed.

The bill also amends chapter 16.1 15-32 adds language for the county to publish the vote by precincts for each officer and proposition voted for any primary, special or general election on the official county website. I have also passed out the Cass County results of the 2018 election.

You will also see in the email that I sent the committee the link to the Cass County orders and Vouchers. This website offers more information regarding the expenses than that what is printed in a newspaper, and the information is available for a longer period.

With the ever-changing way people choose to inform themselves, and our local governments working to lower property taxes, this change in legislation will benefit the residents of our cities and counties.

I also have an amendment that I have passed out that would include cities in these proposed changes.

Thank you, chairman and members of the committee. I stand for questions.

#5
1-24-19
HB1229

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1229

Page 1, line 1, replace the second "and" with a comma

Page 1, line 1, after "16.1-15-32" insert ", and 40-01-13"

Page 1, line 2, replace "county" with "political subdivision"

Page 2, after line 2, insert:

"SECTION 3. AMENDMENT. Section 40-01-13 of the North Dakota Century Code is amended and reenacted as follows:

40-01-13. Payment of accounts by municipality.

No account or claim ~~shall~~may be paid by a municipality unless the ~~same~~account or claim has been audited and allowed by the governing body thereof. Approval by the governing body ~~shall~~must be recorded in the record of its proceedings ~~and this shall be,~~ which is sufficient to indicate approval without requiring a majority of the members of the governing body to sign or initial the voucher or order for payment. No moneys ~~shall~~may be drawn from the treasury of a municipality except upon a warrant from the auditor ~~thereof,~~ which is signed by the executive officer of the municipality and attested by ~~it~~the municipality's auditor or clerk. Accounts or claims for payment of moneys from the treasury are not required to be published in the minutes or report of the official proceedings if otherwise made available on the municipality's official website."

Renumber accordingly

#10
1-24-19
HB 1229

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1229

Page 1, line 1, replace the second "and" with a comma

Page 1, line 1, after "16.1-15-32" insert ", and 40-21-13"

Page 1, line 2, after "county" insert "and city"

Page 2, after line 2, insert:

"SECTION 3. AMENDMENT. Section 40-21-13 of the North Dakota Century Code is amended and reenacted as follows:

40-21-13. Municipal elections to be governed by rules applicable to county elections - Absent voting.

The manner of conducting, voting at, keeping poll lists, and canvassing votes at municipal elections, recounts, and contests of the results of the elections is governed, as nearly as possible and except as otherwise provided in this chapter, by the laws of this state applicable to elections and contests in the case of county officers. Absent voters' ballots must be available in municipal elections in accordance with chapter 16.1-07. If a municipality is required to publish election results in a newspaper under this section, the municipality may satisfy the requirement by publishing the election results on the official website of the municipality."

Renumber accordingly

#7
1-24-19

Testimony Prepared for the
House Political Subdivisions
January 23, 2019
By: Donnell Preskey, NDACo



RE: Support for HB 1229

Good morning Chairman Dockter and committee members, I'm Donnell Preskey with the North Dakota Association of Counties. In that capacity, I serve as Executive Director for the Auditors and Treasurers Associations which are in support of this bill.

This bill comes before you today as a result of discussion initiated from the interim during the Interim Judiciary committee's work studying publication requirements. During this, we were requested to provide information regarding publication requirements. We identified 142 various notices, documents and listings which counties are required to publish (generally in their official county newspaper) as mandated by state law. After surveying our counties on their 2018 budget for publications, we estimate \$450,000 was spent by counties in 2018 on meeting publication requirements.

HB 1229 represents two items identified by County Auditors as some of the most concerning that should be addressed which are: the listing of expenditures and the publication of official election results.

The biggest chunk of the cost to publish minutes is the inclusion of checks & expenditures. 11-11-37 in the Century Code is where counties are mandated to publish minutes. A 2012 Attorney General's opinion cites that expenditures are part of the minutes and therefore counties should publish the expenditure report. Our auditors question whether the listing of this information is truly meaningful. I can tell you that the expenditure data is available to citizens who want it. In fact, some counties have made it very available to them online through the use of transparency portals. Five of our counties are using Open Gov or Socrata which is essentially an open checkbook for citizens to view expenditures and budget information via the county's website.

HB 1229
#7 1-24-19

We support the clarification that is provided in this bill and the option to publish this information online instead of in a newspaper. Often times this information is in very minute print and takes up a large amount of space making it a very expensive publication and one that is of interest to very few citizens. We know of papers who do not wish to publish this information due to the space it would require. This bill would allow for a county to avoid publishing this information online if it is available on the county's website.

As for publishing election results – Auditors say by the time the official election results are printed in the paper, they already known by the general public. Elections are news worthy at all levels and the results are available and reported by the media and the Secretary of State's Election website. Often times, the official results appear in the daily papers weeks after the election. Therefore, we support at the very least the repeal of this requirement, if counties list the results on their websites.

It is important to note that advertising rates are negotiated and set every biennium by OMB. Although this mechanism is efficient, local governments have little direct control of this cost.

During our last survey of our 53 counties, only six do not have websites.

Also, Mr. Chairman for your information, the interim judiciary did move forward a bill that addressed two of our concerns brought forward during the review of the publication requirements. SB 2035 addresses the notice of elections for commodity group's county representatives and the date for notice of financial statements. That has passed the senate unanimously.

Handwritten notes: #B 1229 #8, 1-24-19

Dickey County Commission Minutes

Commissioner Meeting September 5, 2017

Chairman Sand called the meeting to order at 8:05 am. Present were: Joel Hamar, John Hokama, Marke Roberts, Dean Simek and Chairman Thor Sand. The Pledge of Allegiance was recited. There were no additions to the Agenda. Hamar motioned to approve the minutes for the August 15 and August 22, 2017 minutes with changes. Simek seconded. Motion carried. Hokama motioned to approve the vouchers, with the addition of a travel voucher in the amount of \$113.40 for Dana Geller. Hamar seconded. Motion carried. Auditor Sheppard presented an application for a raffle permit for the Glenn and Teresa Duggott Benefit to be held September 7th through September 17th to defray medical expenses for the family. Roberts made a motion to approve the application and to waive the fee. Hokama seconded. Motion carried. Commissioners discussed salaries. Meeting went into recess at 9:49 and reconvened at 10:00. State's Attorney Gary Neuharth joined the meeting at 10:00. Neuharth stated that the training with the Weed Board members has been completed. Risk Manager Cresta Miller joined the meeting at 10:20. Miller is requesting an addition of \$3,500 for ergonomic desk equipment to be added to her budget for 2018. Sheriff Chris Estes joined the meeting at 10:30. Estes stated that the city of Oakes is asking for assistance from the county until more staff are hired for the city. The County will bill the city at cost. Estes also stated there will be more over weight truck testing for the departments. Social Services Director Angela Hall and Highway Superintendent Jeff Hagen joined the meeting at 10:50. Hagen stated that they will be placing advertisements in the paper for mowing of ditches and a request for propane bids with the bid let for testing for October 3 at 11:00 am. Hagen stated that Knie River has a bid to fix the parking lot at Social Services in the amount of \$34,837. Knie River would be able to complete it while they are working on County Road 2. Hokama motioned to accept the bid. Roberts seconded. Motion carried. Hagen stated that Base Stabilizer had agreed to make a presentation at the 4 County meeting at 4:00 on October 5th. Kadmas Lee and Jackson Engineer Josh Loegering joined the meeting at 11:20. Loegering presented an idea of a "dry" road for the road project. He presented two change orders, with the net effect of a decrease in the cost of \$3,103. Hamar motioned to approve the change orders. Simek seconded. Motion carried. Loegering stated that work on County Road 2 should start next week. Loegering stated he would present the final bid sheet and present at the meeting on September 19. Loegering stated he felt the next chip seal project should be County Road 3, which they will bring up at the MD Department of Transportation meeting in October. The meeting was recessed for lunch at 12:15 and reconvened at 1:05. Custodian Scott Peterson presented the Custodian Budget. Other budgets reviewed are listed below. Weed Community Service

James River Soil Conservation Districts Keith Kronberg and Perry Bofam, along with employee Renee Schlosser joined the meeting at 1:30 pm to review their budget with the Commissioners. They noted that the 2018 operating hours decrease in 2018. County Recorder Deb Anderson joined the meeting at 2:30. Anderson is looking at working with Simplifile, a company that will set up a county property map to the county so they can allow e-recording of documents. The individual or company recording the document pays the fees. Anderson also reviewed her Document Preservation budget. Tax Director Don Fishery joined the meeting at 2:50. Fishery presented the Assessor, Tax Director, and Detested Sols budgets. Fishery proposed a letter he had drafted in response to a letter received from the state concerning assessor training not completed by the deadline. Fishery had drafted letters to townships involved, which he will have States Attorney Neuharth review before sending. Sheriff Chris Estes joined the meeting at 3:30. Estes reviewed the letter from the Base Stabilizer presentation. Hamar spoke with NSDU Extension Director Chris Boertoom and NSDU has committed to Dickey County for a full time 4-H and Youth Development Agent. DESI Coordinator Charlie Russell and German Township Supervisor Kevin Strobel and Rodney Broz joined the meeting at 10:38. The appeal to FEMA has been denied. Russell will write another appeal. Broz has written a letter to send to our Senators and representatives concerning the issue. Russell and Sheppard will also compile a letter to be sent to the legislators as well. Dickey County agrees and supports the letter from the German Township. Russell will contact our attorney with North Dakota Insurance Reserve Fund to request that come visit with the Commissioners as to the status of the case and appeal. KU Engineer Josh Loegering has the final invoice for the original agreed amount for the roof project. There are additional charges of approximately \$5,000 that need to be added to the project because of possible damages done during the project. The contractor is asking if Dickey County is willing to pay for the materials. Hamar made a motion to assist with paying up to 50% of the additional costs, not to exceed \$2,500. Hokama seconded. Motion carried. Loegering will write a change order and return next meeting with the change order to be signed. Loegering discussed the federal aid meeting during the North Dakota Association of Counties conference on October 10th at 4:00 pm. There is money in the 2018 budget to do work on County Road 3 and to use Base Stabilizer on the State Line Road so no federal aid money will be used. He will adjust the project list for the federal aid program. Discussion followed concerning the state line road. Some work may need to be done this fall to prep the road. Testing will need to be done on the gravel, as well. Highway Superintendent Hokama will be at the meeting at 10:45. Hagen would like to finish the section on County Road 3 between County Road 8 and Highway 281 with level coats. The quote from Barton Incorporated in the amount of \$39,285 would complete the project. Simek made a motion to authorize Hagen to complete this project. Hamar seconded. Motion carried. Hagen presented three utility permits from Dakota Valley Electric for work they are doing by County Highway 7A. Roberts made a motion to approve the permits. Simek seconded.

Finlandia Roberts seconded. Motion carried. James Ties joined the meeting at 9:30. Hamar had a map drawn up by Tax Director of the county property map to the county farm. After a discussion concerning issues with hunting activity on the county land so close to the farm site. Roberts made a motion to post "No Hunting" Dickey County signs on the county property, located in the SE 1/4 of 33-129-62. Hokama seconded. Motion carried. Commissioners will ask Highway Superintendent Jeff Hagen to order the signs and get the label posted. Sheppard presented the agenda for the 3 County meeting, which will be in Oakes October 5th at the Angry Beaver. Sheppard will forward the agenda to the other counties, along with information on the Base 1 Stabilizer presentation. Hamar spoke with NSDU Extension Director Chris Boertoom and NSDU has committed to Dickey County for a full time 4-H and Youth Development Agent. DESI Coordinator Charlie Russell and German Township Supervisor Kevin Strobel and Rodney Broz joined the meeting at 10:38. The appeal to FEMA has been denied. Russell will write another appeal. Broz has written a letter to send to our Senators and representatives concerning the issue. Russell and Sheppard will also compile a letter to be sent to the legislators as well. Dickey County agrees and supports the letter from the German Township. Russell will contact our attorney with North Dakota Insurance Reserve Fund to request that come visit with the Commissioners as to the status of the case and appeal. KU Engineer Josh Loegering has the final invoice for the original agreed amount for the roof project. There are additional charges of approximately \$5,000 that need to be added to the project because of possible damages done during the project. The contractor is asking if Dickey County is willing to pay for the materials. Hamar made a motion to assist with paying up to 50% of the additional costs, not to exceed \$2,500. Hokama seconded. Motion carried. Loegering will write a change order and return next meeting with the change order to be signed. Loegering discussed the federal aid meeting during the North Dakota Association of Counties conference on October 10th at 4:00 pm. There is money in the 2018 budget to do work on County Road 3 and to use Base Stabilizer on the State Line Road so no federal aid money will be used. He will adjust the project list for the federal aid program. Discussion followed concerning the state line road. Some work may need to be done this fall to prep the road. Testing will need to be done on the gravel, as well. Highway Superintendent Hokama will be at the meeting at 10:45. Hagen would like to finish the section on County Road 3 between County Road 8 and Highway 281 with level coats. The quote from Barton Incorporated in the amount of \$39,285 would complete the project. Simek made a motion to authorize Hagen to complete this project. Hamar seconded. Motion carried. Hagen presented three utility permits from Dakota Valley Electric for work they are doing by County Highway 7A. Roberts made a motion to approve the permits. Simek seconded.

Molon carried. Sheriff Chris Estes joined the meeting at 11:50. Estes will check into damage done on the bridge on County Road 3, east of County Road 8. Estes was not aware of anything reported. Estes will also check with Highway Patrol. Sheppard presented an Eligibility Application from North Dakota State Surland Property that has been requested to be updated. Simek made a motion to sign the application. Roberts seconded. Motion carried. The meeting was recessed at 12:10 and reconvened at 12:20. A final review of budgets and salaries were completed. Hamar made a motion to increase the county portion of family health insurance to 84%, up from 82%. Hokama seconded. Motion carried. Hokama made a motion to charge the date salary increases are given to be the first of the month after the date of anniversary 01 all new employees or employees changing jobs, effective January 1st, 2017. Anytime he had before January 1, 2017 will continue to get their raise as of the first of the year. Hamar seconded. Motion carried. Roberts made a motion to approve the new salary table and the implementation thereof. Simek seconded. Motion carried. Russell is on file with the Auditor's office. Simek made a motion to submit the 2018 budget to the Dickey County Leader for publishing with the proposed changes. Roberts seconded. Motion carried. Hokama motioned to adjourn at 1:05 pm.

Salaries
136,367.04
Cities/Townships/Schools
22,714.15
Monthly Expenses
45,916.50
ND Emergency Management
140.00
Rascos
23,714.15
Alcohol Monitoring
Systems INC.
192.20
Axon Enterprises INC.
555.00
Roberts Fleet Service
2,200.00
Chads Electric Inc.
209.50
Clay County Sheriff's Office
52.15
Computer Express
492.00
Complete Auto Wash
25.77
Charm's Food Price
25.77
Chick's Supply
91.11
Chuck's Body Shop LLC
145.20
Cielco
211.45
Elfinor, Almee
347.85
Flaherty, Don
262.51
Glynn Law Firm P.C.
1,206.44
Haurwitz
240.30
Kelly Infr-Bismark
Marquadt, Andrews
108.00
Montana Dakota Utilities
1,259.97
Mowers and more
68.50
Napa Farnams Genuine
Parts INC.
192.48
ND State Surland Property
25.00
Overpayment Refund
Pakor INC.
2,425.60
Quality Quick Print
271.05
Roberts Fleet Service
90.51
Schirke And
69.55
Secretary of State
2,216.19
Simek Refrigeration
796.10
Simek, Steve, Fraderickson
& Burt's LTD
290.50
Simek, Steve, Fraderickson
& Burt's, LTD
459.00
18.19
Stutsman County Auditor
760.00
True Value- Ellendale
46.88
Wickery
14.00
Dakota Improvement
1,644.00

Farmland CO-OP
1,162.02
Kens Alignment Auto
Service Center
1,366.04
Oakes Truck and Trailer
6,087.06
Ratzliff Trucking LLC
12,593.34
Team Laboratory Chemical
Coro
424.00
3D Specialties
356.92
S&G Bases, LLC
355.00
Quill Corp
62.98
Quill Corp
62.98
Bobbe Mark
23.54
Carlson Brandon
23.94
Hokama, Trevor
3,963
Ulmer, Jade
26.75
Zimelman, Donald G
91.48
Haak, Norman
91.48
Mogon Engineering INC
12,304.77
Onstad Trenching, PC
9,707.16
Zimelman, Don K
43.22
Oakes Volunteer
Ambulance Service
34.20
Chief Supt
107.62
Dakota Helicopters
5,663.73
Ellendale City Auditor
1,042.65
ICS, INC.
349,425.98
Kedwards, Lee A
Jackson INC
5,141.38
True Value- Ellendale
ND Public Employees
2,335.42
ND Public Employees
123.50
Retirement
132.50
Quill Corp
361.62
Community Volunteer
21.27
EMS of LaMoore
Edgeley Ambulance Service
42.55
Oakes Volunteer Ambulance
Service
186.13
Ellendale City Auditor
258.73
Oakes City
66.64
Garrison Division
159.61
James River Soil
Conservation 975
158.61
Ellendale Fire #2
480.20
Dickey Rural Networks
1,167.77
Kulm Ambulance Corps INC
C/O Robin Hahr
3,006.71
State Treasurer
250.00
Central County Treasurer
250.00
Dixie Miller
10.00
ND Public Employees
19,780.20
Retirement
4,964.44
ND Public Employees
136.31
Coke Paper
15,324.34
Human Services
109.31
A&B Business INC
48.41
North Dakota United
ND Public Employees
159.49
Dalco Uniform
265.77
Central Business Systems INC
97.97
Dickey County Leader
87.41
Elingor, Almee
64.20
Farnams Genuine Parts
114.80
Farmers Union Oil Co
55.38
Green Iron Equipment
511.00

Information Technology Dept
Lonscocks Matthew Bender
Mertz Const & Supply- Ellendale
Modern Marketing
Murdock Construction
Butler Machinery Co
Dickey Rural Networks
Economy Oil Co
Farmers Union Oil Co
Farmland CO-OP
Farnams Genuine Parts
Fulton City Auditor
Kinco Leasing
ND Association of Counties
Oakes Tire Center
Oakes Truck and Trailer
Oriental Power Company
Frisrup Trucks
True North Steel
True Value- Ellendale
Waste Management
Office of Attorney
General 1250
Bunrig Marton
Dorchester Center
Stutsman Correctional Center
Mogon Engineering INC
Stanton
Crop Production Services
Dickey County Leader
Dickey County HWY Dept
Farnams Genuine Parts
Fulton Farmers Elevator
Menard's
Menard's
True Value- Ellendale
Sand, Army
Dieck Vargant Joint Water
Resources Dist
Onstad Trenching, PC
Zimelman, Don K
Dickey Rural Networks
ND Association of Counties
A&B Business inc
AmeriServ Services, INC.
A&M Mobility
Dakota Valley Electric Coop
Dickey Rural Networks
Mannheim Dakota Limited
NDSU Extension Service-
AG DUGGET
Central County Systems INC
Kaver, Brenda
Dakota Plans Credit Union
150,000.00
Alfag
3,262.17
Wage Works
70.00
ND Public Employees
Retirement
2,451.60
ND Public Employees
Retirement
2,335.42
ND Public Employees
Retirement
123.50
Delta Dental Plan of MN
1,440.90
Farmers Union Insurance Corp
417.38
North Dakota United
63.22
ND Public Employees
Retirement
23,866.28
Stanton Bond Services
75,028.25
Respectfully submitted Thor Sand,
Chairman
Wanda Sheppard, Auditor

Budget meeting September 6, 2017

Chairman Sand called the meeting to order at 1:10. Present were Joel Hamar, John Hokama, Marke Roberts, Dean Simek, Chairman Thor Sand, Jamie Nelson from Computer Express, was also present. The Pledge of Allegiance was recited. Nelson presented his portion of the Oakes budget. The budgets were reviewed. Yorkmont Maple Improvement District
Community Maintenance
Community Service
Job Development Authority
The below budgets were reviewed.
4H agent
Water Resource Board
Rascos
Senior Citizens
County Historical
DES
Rascos
Sheppard will report to Chairman Sand once all the changes have been made so a decision can be made if another meeting needs to be held. If a meeting is needed, it is set for Friday morning at 8:30. Hamar motioned to adjourn at 6:30.

September 19, 2017 Commissioner Meeting

Chairman Sand called the meeting to order at 8:05. Present were Joel Hamar, John Hokama, Marke Roberts, Dean Simek, and Chairman Thor Sand. The Pledge of Allegiance was recited. Additions to the Agenda
Extension update
Hokama made a motion to approve the minutes from the September 5th and September 19th meetings. Hamar seconded. Motion carried.
Hamar made a motion to approve the vouchers. Simek seconded. Motion carried.
Simek made a motion to approve the

minutes from the September 5th and September 19th meetings. Hamar seconded. Motion carried.
Hamar made a motion to approve the vouchers. Simek seconded. Motion carried.
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Simek made a motion to approve the

Review Cow, Calf Vaccination Plans Now

Planned vaccination strategies are critical to preventing infectious diseases.

Now would be a good time for cattle producers to review their annual vaccination plans, according to Gerald Stokka, North Dakota State University Extension Service veterinarian.

"The term 'vaccination' comes from the Latin term 'vacca,' which means of or from the cow," he notes. "The relationship of this term to vaccination results from the effort to prevent smallpox in the human population.

"It was observed that people with contact to cows with lesions due to the cowpox virus were significantly less likely to contract the highly contagious and serious human disease known as smallpox," Stokka adds. "Vaccination just refers to the act or procedure of administering a vaccine."

Preventing infectious disease through planned vaccination strategies is critical to every cattle operation, he says. Producers should develop vaccination strategies in consultation with their veterinarian, and those strategies should be risk-based, researched and reviewed annually.

Here are three principles producers should consider when implementing vaccination protocols:

- Necessity: Is the risk of exposure high enough that clinical disease and pathogen transmission will become a health and well-being issue beyond their expectations for the herd?
- Efficacy: Does scientific evidence or observational experience indicate that vaccine selection for specific pathogens is effective for the level of exposure and stress of the herd?
- Safety: Does evidence indicate that the vaccination will not cause harm through local or systemic reactions?

"The result of considering these principles is that vaccination protocols become relatively short, can be defended and are used in the proper circumstances at the proper time," Stokka says.

Vaccination of beef calves weaned early this summer and fall should adhere to these principles.

What's Necessary in Calf Vaccination Protocols?

"Viral vaccines are necessary because no other management tools are available to treat or prevent viral infections that contribute to respiratory disease in beef calves," Stokka says.

In northern Plains beef herds, the viruses BRSV (bovine respiratory syncytial virus), IBR (infectious bovine rhinotracheitis) and PI3 (para-

influenza 3) appear to be widespread. Cow herds vaccinated for or exposed to these viruses will provide some protection to young nursing calves through passive immunity transferred shortly after birth. However, this protection will wane when the calves are about 3 to 4 months of age, and they can be at risk.

Research indicates that intranasally administered vaccines in young calves can enhance protection, even when maternal immunity is high. The primary dose of virus vaccine should contain these viruses and be administered via the intranasal route.

The BVDV (bovine virus diarrhoea virus) pathogen is a concern, but in beef herds that practice annual cow herd vaccination, the risk to young calves is reduced and vaccination can be delayed until weaning.

The second dose, which should be given prior to or at weaning, can be administered parenterally (labeled as subcutaneous or intramuscular). It will booster the response to the viruses that previously were administered intranasally.

Common vaccination protocols include products combined to contain four to five viruses and a bacterial fraction. These are best administered as the second, or booster, dose.

Which Vaccines to Use

Vaccination plans for the breeding herds with annual viral vaccinations should include pre-breeding (30 days prior to breeding) modified live vaccines containing IBR, BRSV and BVDV, along with a five-way leptospirosis fraction and campylobacter (vibrio).

Stokka recommends that if these are administered in the fall at pregnancy checking time, producers should use an inactivated virus vaccine with five-way leptospirosis. If administering a modified live virus vaccine to pregnant cows, producers should check with their veterinarian to make sure the vaccine is being used according to label directions.

This is what to use during grass turnout time or for a preweaning initial vaccination:

- Modified live virus vaccine containing BRSV, IBR and PI3 administered intranasally
- Clostridial vac-

ine, seven- or eight-way administered subcutaneously

•Use for preweaning, weaning or postweaning as a second (booster) dose:

- Modified live virus vaccine containing BRSV, IBR and BVDV (types 1 and 2) administered subcutaneously (can be in combination or separately with a bacterial fraction containing leukotoxin to Mannheimia hemolytica)

•Clostridial vaccine, booster dose, seven- or eight-way administered subcutaneously

For herds without an annual viral cow herd vaccination, use the following for turnout time or a preweaning initial vaccination:

- Modified live virus vaccine containing BRSV, IBR and PI3 administered intranasally
- Modified live virus vaccine containing BVDV (types 1 and 2) administered parenterally (can be in combination or separately with a bacterial fraction containing leukotoxin to Mannheimia hemolytica in herds with history of nursing calf pneumonia).

•Clostridial vaccine, seven- or eight-way administered subcutaneously

For herds without an annual viral cow herd vaccination, use the following for weaning or postweaning as second (booster) dose:

- Modified live virus vaccine containing BRSV, IBR, PI3 and BVDV (types 1 and 2) (can be administered in combination or separately with a bacterial fraction containing leukotoxin to Mannheimia hemolytica)

•Clostridial vaccine, seven- or eight-way administered subcutaneously

•Make sure you are consulting with your veterinarian on vaccine strategies and handling."

Stokka advises, "Your operations are unique and will need recommendations tailored to your operation."

Call to subscribe to the
Oakes Times
701-742-2361
or the Dickey County Leader
701-349-3222

Lacey Erdler, Broker/Owner
Premium Home REALTY CO.
www.premiumhomerealty.com
307 Eastwood Circle, P.O. Box 15, Mohr, ND • Cell: 701-681-2579

Deborah Knigge - Realtor -
Serving the Oakes area for over 15 years. If you are looking at selling your property, give her a call at 710-0423 to list today.

22 6th St. N., Oakes, ND 3 bdrm, 2 bath, 1694 sq ft, 2 story home, main floor has kitchen island, moving in ready, m-hall-bdrm, kitchen, updates include cupboards-sink-counter-top-appliances, 2 bedrooms, basement w/ rec m-fri-place 3/4 bath, 3/4 bath and 1st porch. **\$65,900**

16 10th St. N., Oakes, ND 2 bdrm, 1 bath, 904 sq ft, home, remodeled kitchen with cabinets, sink, counter tops, laminate flooring & appliances, new windows on main floor & attic, central air conditioning, new furnace, A/C, master master vinyl siding single car garage. **\$69,900**

202 Main Ave., Oakes, ND 3 bdrm, 1-1/2 bath, 1956 sq ft, home, 1 bdrm on main floor, new toilet & vanity in bathroom on main floor, hisser closets in master bdrm upstairs, newer appliances, counter top & island, rec m in bsmt, aluminum siding, underground water system, att 1 stall garage, patio & shed. **\$130,000**

102 South 15th St., Oakes, ND 3 bdrm, 2 bath, 1458 sq ft, manufactured home w/lopper floor plan, walk-in closets in all bdrms, master bdrm has both w/ access from bdrm or bk entryway-w/ washer & dryer, lg yard. **\$65,000**

Burwood Lot, Oakes: Great deal today on a 13,626 sq ft. lot in Burwood. **\$11,000**

BOARD OF COUNTY COMMISSIONERS
DICKEY COUNTY COMMISSION AGENDA
TUESDAY, October 17, 2017
9:00 AM

7:00 Park Board Meeting
8:00 Social Services Meeting
9:00 Commission Meeting
Roll Call
Pledge of Allegiance
Additions or Revisions to the Agenda
Review Minutes
Review Vouchers
Review Financials

10:00 Personnel Time
10:30 Abatement Hearing
11:00 Highway Department

OTHER BUSINESS TO BE BROUGHT BEFORE THE BOARD ADJOURNMENT

ANYONE WISHING TO HAVE ITEMS ON THE DICKEY COUNTY COMMISSIONERS' AGENDA, PLEASE CONTACT THE AUDITOR'S OFFICE AT 349-3249 BEFORE 9:00 AM MONDAY, ONE WEEK PRIOR TO THE MEETING DATE.

To request an auxiliary aid or service please contact the Dickey County Title VI Coordinator at 349-3249 (ext.1111) at least 5 business days before the scheduled meeting.

Written Testimony To
THE HOUSE POLITICAL SUBDIVISIONS COMMITTEE
January 24, 2019 by
Michael Montplaisir, Cass County Auditor
Cass County Government

#9
1-24-19

REGARDING HOUSE BILL 1229

Mr. Chairman and members of the House Political Subdivisions Committee, I am Michael Montplaisir, Cass County Auditor. House Bill 1229 removes some publishing requirements for bills approved by the County Commission and for publishing of the tabular Election Abstract if these items are available on the county's website.

Publishing Bills

We publish minutes from each County Commission meeting in the legal section of our official newspaper, and we publish our agendas as a display ad before each meeting. Publishing the minutes is required by law, but we also publish the agendas because we want to alert county citizens about items on our agenda. Our publishing bill for minutes is around \$10,000 a year and our publishing bill for agendas is around \$6,500. These costs, we believe, are reasonable and necessary expenses to keep our citizens abreast of county business. The county, while including the bills as an attachment to the board minutes, has not published the bills.

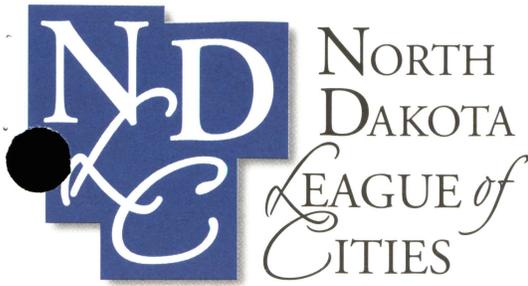
Publishing a detailed listing of bills would be extremely costly – the cost to publish the bills would greatly exceed the cost to publish the minutes. The listing of bills that the County Commission reviews and approves at each meeting can exceed 80 pages. A quick download of transactions for the month of December 2018 showed that we had about 1,800 bills for the month. This information is readily available on our web site; agendas on our web site include a listing of bills. The subsequent minutes also includes a listing of the bills, and we have all of our detail transactions on our OpenGov site.

Election Abstract

Publishing the election abstract is not a great expense but the timing of the publication makes it old news. On election night, election results are uploaded to the Secretary of State's Office by every county. Individuals and the media use the Secretary of State site on election night and the days after to review and analyze the election results.

Six days after the election, the County Canvassing Board meets and counts any uncounted absentee ballots, and the county again uploads the additional results to the Secretary of State web site so updated results are available to both individuals and the media. We also create an abstract in an Excel spreadsheet and post that to our web site either the day of the County Canvassing or the following day. The earliest the publication would be in our official newspaper would be 13 days after the election, and in some cases it would be 20 days following the election.

I urge you to support and give a Do Pass recommendation to HB 1229.



10
1-24-19
HB 1229

January 24, 2019

House Political Subdivisions Committee

HB 1229

Chairman Dockter and members of the committee, my name is Stephanie Dassinger and I am the deputy director and attorney for the North Dakota League of Cities. I appear before you today to express the League's support of HB 1229 with the offered amendments.

Under NDCC 40-01-09.1 city electors vote every four years on whether a city should publish its minutes in the city's official newspaper. Most cities are required to publish their meeting minutes each month. One of the items that cities are required to include in their minutes is a list of the checks. I have attached a few examples of published city minutes that include this list of checks.

Placing a list of these expenditures online for citizens to review would be a more accessible and useful way to provide citizens with information about city expenditures and that is precisely what this bill does.

Under the offered amendments to HB 1229 a city could place a list of its checks online, in lieu of printing them in the newspaper. Please note, if a city does not have a website, the city would still be required to print the list of checks in its minutes.

The League of Cities respectfully requests a DO PASS recommendation on HB 1229.

PUBLIC NOTICE

IN THE DISTRICT COURT OF BURLEIGH COUNTY, STATE OF NORTH DAKOTA
In the Matter of the Estate of Jeanne C. Paris, Deceased
Probate No. 08-2018-PR-0287
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 or mailing of this notice or said claims will be forever barred. Claims must either be presented to Juana Perius, personal representative of the estate, at 6025 28th Ave SE, Lincoln, ND 58504, or filed with the Court.
Dated this 26th day of December, 2018.
s/Juana Perius
Personal Representative
6025 28th Ave SE,
Lincoln, ND 58504
First publication on the 1st day of January, 2019.

1/1, 8 & 15 - 20958522

Name, Address and Telephone No. of Attorney
Ryan Gettel #06992
MACMASTER, GELTEL, & SIEWERT, LTD.
123 East Broadway
P.O. Box 547
Williston, ND 58801
701-572-9121
ryan@macmasterlaw.us

Attorneys for Personal Representative
IN THE DISTRICT COURT OF BURLEIGH COUNTY, STATE OF NORTH DAKOTA
In the Matter of the Estate of HELEN LOUISE NIELSEN, deceased
Probate No. 08-2018-PR-0287

NOTICE TO CREDITORS
NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of the above estate. All persons having claims against said deceased are required to present their claims within three months after the date of the first publication or mailing of this notice or said claims will be forever barred. Claims must be presented to Frances Stewart, personal representative of the estate, or filed with the Court.
DATED this 31st day of December, 2018.
s/Frances Stewart
Frances Stewart
Personal Representative
Ryan C. Gettel, Attorney
MACMASTER, GELTEL, & SIEWERT, LTD.
123 East Broadway
P.O. Box 547
Williston, ND 58801

Attorneys for Personal Representative
First publication on the 6th day of January, 2019.
1/8, 15 & 22 - 20959098

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH
IN DISTRICT COURT
SOUTH CENTRAL JUDICIAL DISTRICT
The Printers, Inc.,
Plaintiff,
vs.
Marlo Hunte-Beaubrun,
Defendant.
CASE NO.: 08-2018-CV-01400

ORDER TO SHOW CAUSE
The following publication informs the Defendant, Marlo Hunte-Beaubrun that she must appear personally on the 26th day of February, 2019 at 3:30 p.m. before the Honorable Judge James Hill on this Order to Show Cause at the District Court Chambers in the County of Burleigh, City of Bismarck, North Dakota and show cause why she has failed to answer the interrogatories that were served on her on the 5th day of July, 2018.
That Defendants failure to appear at the above place, time and date will result in a finding that Defendant is in civil contempt of court.
DATED this 3rd day of January, 2019.
BY THE COURT:
s/James S. Hill
Judge/Judicial Referee of the District Court
1/8, 15 & 22 - 20959179

The North Dakota Private Investigation & Security Bureau will hold a special meeting on January 15th, 2019 at 11:00 a.m. The meeting will be a telephone conference to discuss a settlement proposal and to vote on whether to approve the settlement, concerning the Board's claims of violations against Advance Security. It is anticipated that the Board may go into executive session for attorney consultations to discuss the settlement proposal. There will be a speaker's bureau available for the public at the office of the Bureau, 513 East Bismarck Expressway, Bismarck, ND 58504.
Date of Notice: 1/11/2019
By: John J. Shorely II
ND PISB
Executive Director
1/15 - 20959192

To Place a Legal Advertisement
Call 355-8816, Fax 250-0195, or email: leals@bismarcktribune.com

OFFICIAL NOTICE FOR IMMEDIATE RELEASE

The North Dakota Board of Dental Examiners will hold their Quarterly Meeting January 16, 2019 at 6:00 PM. The meeting location is 2900 East Broadway, Suite 3, Bismarck, ND 58501. The purpose of this meeting is to discuss business of complaints and legislative issues, and other business of the Board. Portions of the meeting may be held in Executive Session. For further information contact Rita Sommers, Executive Director (701) 833-8551.
By order of the President of the Board,
Bv Marsh, RDH

1/15 - 20959827

STATE OF NORTH DAKOTA
IN JUVENILE COURT
COUNTY OF BURLEIGH
SOUTH CENTRAL JUDICIAL DISTRICT
IN THE INTEREST OF J.R., A CHILD
State of North Dakota,)
Petitioner,)
-vs-)
J.R., Child;)
Mindy Messmer, Mother;)
Andrew Roberts, Father;)
Jim Jacobson, Guardian ad Litem,)
Executive Director ND DHS;)
Respondents.)
File No. 08-2018-JV-00363

SUMMONS
THE STATE OF NORTH DAKOTA TO THE ABOVE-NAMED RESPONDENTS:
You are hereby summoned to appear personally at the Juvenile Court in the Burleigh County Courthouse, Bismarck, North Dakota, on February 26, 2019, at 9:00 a.m., for the purpose of hearing the Petition made and filed with this Court. The Petition claims the child is alleged to be a deprived child, as more fully appears from the Petition. A copy of the Petition can be obtained at the Clerk of Courts office.

RIGHT TO HEARING BEFORE JUDGE
You are entitled to have the Petition Hearing heard by a Judge of the Juvenile Court, instead of by a Referee, by filing a written request for a Judge with the Clerk of this Court within seven (7) days after receiving this Summons.

RIGHT TO COUNSEL
You are not required to have an attorney in this case. If you desire the assistance of an attorney, and are unable without undue financial hardship to employ one, the Court, upon your request, will appoint an attorney for you.
Dated this 10th day of January, 2019.
s/Pamela Neavig
Judicial Referee

1/15, 22 & 29 - 20959784

NOTICE OF SALE

Civil No. 08-2018-CV-01681
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 November 15, 2018 in an action wherein Lakeview Loan Servicing, LLC was Plaintiff and Barry E. Mayher, Ann E. Mayher, any person in possession, were Defendants, in favor of Plaintiff and against the Defendants for the sum of \$134,595.53, 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 as 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 County of Burleigh and State of North Dakota, on February 12, 2019, at 01:15 PM, 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 11, Block 17, Registers Second Addition to the City of Bismarck, Burleigh County, North Dakota
If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The purchaser shall have no further recourse against the Mortgagee, the Mortgagee or the Mortgagee's attorney.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 28th day of December, 2018.
s/ Pat D. Heiner
Sheriff of Burleigh County, North Dakota
By: s/ Mackoff Kelloff
MACKOFF KELLOGG LAW FIRM
38 Second Avenue East
Dickinson, ND 58601
Attorneys for Plaintiff
1/15, 22 & 29 - 20959347

UNOFFICIAL MINUTES OF THE BISMARCK BOARD OF CITY COMMISSION
January 8, 2019
Unofficial) The Board of City Commission met in regular session on January 8, 2019 at the hour of 5:15 p.m. in the Tom Bakir Meeting Room, City/County Office Building.

221 North Fifth Street, Bismarck, North Dakota. There were present: Commissioners Marquardt, Guy, Zenker, Oban, and President Bakken. Commissioner Marquardt moved to approve the minutes of the December 11, 2018 Special Commission meeting and the December 18, 2018 Regular Commission meeting. Commissioner Zenker seconded the motion. Upon a roll call vote, all voted aye. M/C Commissioner Guy moved to remove item F5 for discussion and approve the remaining items of the consent agenda. Commissioner Oban seconded the motion. Upon a roll call vote, Marquardt, Zenker, Guy and Oban aye, Bakken nay. M/C Voucher numbers: 1084908-1085120; Personnel actions: Administration Department: Appoint Rick Collin to the Dakota Media Access Board of Directors to the unexpired term through July 1, 2020. Gaming Site Authorization for Dakota Pheasants Forever at the Arnets Club 319, located at 2400 Railroad Avenue, Gaming Site Authorization for Bismarck Cancer Center at the Bismarck Moose Lodge #302 located at 312 N 20th St., Re-appoint Amy Ingersoll-Johnson and Krista Rausch for two year terms ending January 2022; to accept the resignations from Barb Strikes the Enemy, Barrie Bolone, Karen Loftis Clayton, Lavonne Wohl, and Rissa Williams; and to fill the vacant positions. Bismarck-Burleigh Public Health Department: Authorize application for the North Dakota Breastfeeding Mini-Grant, Adjustments to the 2019 Public Health Fees & Charges. City Attorney: Release of the trunking certificates of deposit that were held with the curb and gutter certificates of deposit to the developers. Community Development Department: Introduction of and Call for a Planning amendment on Ordinance 6359, a request for the amendment of Lots 3-9, Block 1 and all of Blocks 2-8, Cottonwood Parkview Addition. The Planning and Zoning Commission recommends approval. Introduction of and Call for a Public Hearing on Ordinance 6360, a staff-initiated zoning change from the CG - Commercial zoning district to the DC - Downtown Core zoning district for Tract 118 of part of Blocks 5 and 7, Original Plat and to the DF - Downtown Fringe zoning district for all of Blocks 49 and 51, Original Plat. The Planning and Zoning Commission recommends approval. Introduction of and Call for a Public Hearing on Ordinance 6361, a staff-initiated zoning ordinance text amendment relating to residential district setbacks. The Planning and Zoning Commission recommends approval. Introduction of and Call for a Public Hearing on a staff-initiated amendment to the Priority and Future areas of the Urban Planning Areas Boundary of the Growth Shaping Plan in the 2014 Growth Management Plan. The Planning and Zoning Commission recommends approval. Appointment of Dustin Gawaylow to the City of Bismarck Renaissance Zone Authority. Authorization to dispose of two paratransit vehicles. Engineering Development: North Dakota Department of Transportation Cost Participation and Maintenance Agreement. Finance Department - Assessing Division: Application for property tax abatement 2018, Disabled Veteran Credit, at 147 Lorrain Dr. Application for property tax abatement 2018, Disabled Veteran Credit, at 808 W Sweet Ave. Application for property tax abatement 2018, Disabled Veteran Credit, at 2025 Saint Benedict. Application for property tax abatement 2018, reduction in value due to fire, at 604 Spring Avenue. Application for property tax abatement 2017 and 2018, Disabled Veteran Credit.

Autoblaze Way, Public Works Service Operations Department: Authorization to solicit donations for the 2019 Public Works Week Celebration. Change order G009 for the Library Re-Roof and Window Repair Project with Industrial Enterprises, Inc. Public Works - Utility Operations Department: Change order F003 for the Wastewater Treatment Plant Trickling Filters - Media Equipment with Enexo. Commissioner Guy moved to remove item F5 for discussion and approve the remaining items on the consent agenda. Commissioner Oban seconded the motion. Upon a roll call vote, Marquardt, Zenker, Guy and Oban aye, Bakken nay. M/C Commissioner Guy moved to deny appointing Dustin Gawaylow to the Renaissance Zone Authority. Commissioner Oban seconded the motion. Upon a roll call vote, Marquardt, Zenker and Bakken nay, Guy and Oban aye. M/C REGULAR AGENDA Mayor Bakken provided a portfolio report. The Commission President called for the Public Hearing on a New Class O Alcohol License for Bird Dog Brewing, LLC, located at 931 S 9th St. Commissioner Marquardt moved to approve the request as presented. Commissioner Oban seconded the motion. Upon a roll call vote, all voted aye. M/C The Commission President called for the Public Hearing on Ordinance 6355, relating to an amendment to the ordinance. Commissioner Guy moved to approve the second reading and final passage of Ordinance 6355, relating to an amendment to the noise ordinance. Commissioner Zenker seconded the motion. Upon a roll call vote, all voted aye. M/C The Commission President called for the Public Hearing on Ordinance 6356, relating to design standards and operational practices for semi-public swimming pools. Commissioner Oban moved to approve the second reading and final passage of Ordinance 6356. Commissioner Guy seconded the motion. Upon a roll call vote, all voted aye. M/C The Commission President called for the Public Hearing on Ordinance 6357, a request for a zoning change from the RT-Residential and CG-Commercial zoning districts to the RT-Residential zoning district for part of Lot 5, Block 1, Wachter's Market Addition and Lot 5, Block 1, Pabble Creek Sixth Addition, requested by Evangel Assembly of God. Commissioner Zenker moved to approve the second reading and final passage of Ordinance 6357. Commissioner Oban seconded the motion. Upon a roll call vote, all voted aye. M/C The Commission President called for the Public Hearing on Ordinance 6358, a City-initiated request to create an Historic Preservation Commission. Bruce Whitley and Kate Herzog addressed the Commission in support of Ordinance 6358. Commissioner Guy moved to approve the second reading and final passage of Ordinance 6358. Commissioner Marquardt seconded the motion. Upon a roll call vote, all voted aye. M/C The Commission President called for the Public Hearing regarding Special Assessment revisions. Mark Swenson addressed the Commission in opposition of the elimination of the water and sewer special assessments as listed within the revisions being proposed. Commissioner Marquardt moved to approve the Special Assessment revisions as presented. Commissioner Zenker seconded the motion. Upon a roll call vote, all voted aye. M/C The Commission reviewed and discussed the 2019 Legislative Report #1 presented by City Administrator Hunke. Commissioner Guy moved to support HB 1041. Commissioner Oban seconded the motion. Upon a roll call vote, all voted aye. M/C Commissioner Marquardt moved to support HB 1066. Commissioner Zenker seconded the motion. Upon a roll call vote, all voted aye. M/C Commissioner Guy moved to support HB 1201. Commissioner Oban seconded the motion. Upon a roll call vote, all voted aye. M/C Commissioner Guy moved to monitor HB 1210. Commissioner Marquardt seconded the motion. Upon a roll call vote, all voted aye. M/C Commissioner Oban moved to support HB 1239. Commissioner Marquardt seconded the motion. Upon a roll call vote, all voted aye. M/C Commissioner Oban moved to oppose HB 1297. Commissioner Guy seconded the motion. Upon a roll call vote, all voted aye. M/C Commissioner Oban moved to oppose HB 1307. Commissioner Guy seconded the motion. Upon a roll call vote, all voted aye. M/C Commissioner Marquardt moved to support HB 3010. Commissioner Zenker seconded the motion. Upon a roll call vote, all voted aye. M/C Commissioner Marquardt moved to monitor HB 2040. Commissioner Oban seconded the motion. Upon a roll call vote, all voted aye. M/C Commissioner Oban moved to support HB 2060. Commissioner Guy seconded the motion. Upon a roll call vote, all voted aye. M/C Commissioner Zenker, Guy and Oban aye, Bakken nay. M/C Commissioner Marquardt moved to support Street Light Tax House Bill. Commissioner Zenker seconded the motion. Upon a roll call vote, all voted aye. M/C The Commission considered the request for approval from the Bismarck Airport of Kadmas Lee and Jackson Engineering for Airport Engineering Consultant Services and Environmental Consultant Services for up to 5 years. Commissioner Guy seconded the motion. Upon a roll call vote, all voted aye. M/C The Commission considered the request for approval from the Bismarck Airport for an Engineering Services Agreement with Kadmas, Lee & Jackson for the Taxway C North Engineer Design Report. Commissioner Marquardt moved to approve the Engineering Services Agreement with KLJ as presented. Commissioner Oban seconded the motion. Upon a roll call vote, all voted aye. M/C The Commission considered the request for approval from the Bismarck Airport for the food and beverage concessions contract with Faber, Coe & Gregg of Florida, Inc. Commissioner Marquardt moved to approve the selection committee recommendation of KLJ for Airport Engineering Consultant Services and Environmental Consultant Services for up to 5 years. Commissioner Guy seconded the motion. Upon a roll call vote, all voted aye. M/C The Commission considered the request for approval from the Bismarck Airport for the food and beverage concessions contract with Faber, Coe & Gregg of Florida, Inc. Commissioner Marquardt moved to approve the selection committee recommendation of Faber, Coe & Gregg of Florida, Inc. dba The Junction Bismarck for airport food and beverage concessions, and authorize airport staff and the City Attorney to work with Faber to complete the contract and have it signed by Mayor Bakken. Commissioner Oban seconded the motion. Upon a roll call vote, all voted aye. M/C The Commission considered the request for approval from the Engineering Department to join the North Dakota Department of Transportation Vision Zero Partner Network. Commissioner Guy

moved the approve the request as presented. Commissioner Oban seconded the motion. Upon a roll call vote, all voted aye. M/C The Commission considered the request for approval from the Bismarck Airport for the food and beverage concessions contract with Faber, Coe & Gregg of Florida, Inc. Commissioner Marquardt moved to approve the selection committee recommendation of Faber, Coe & Gregg of Florida, Inc. dba The Junction Bismarck for airport food and beverage concessions, and authorize airport staff and the City Attorney to work with Faber to complete the contract and have it signed by Mayor Bakken. Commissioner Oban seconded the motion. Upon a roll call vote, all voted aye. M/C The Commission considered the request for approval from the Engineering Department to join the North Dakota Department of Transportation Vision Zero Partner Network. Commissioner Guy

seconded the motion. Upon a roll call vote, all voted aye. M/C The Commission considered the request for approval from the Bismarck Airport for the food and beverage concessions contract with Faber, Coe & Gregg of Florida, Inc. Commissioner Marquardt moved to approve the selection committee recommendation of Faber, Coe & Gregg of Florida, Inc. dba The Junction Bismarck for airport food and beverage concessions, and authorize airport staff and the City Attorney to work with Faber to complete the contract and have it signed by Mayor Bakken. Commissioner Oban seconded the motion. Upon a roll call vote, all voted aye. M/C The Commission considered the request for approval from the Engineering Department to join the North Dakota Department of Transportation Vision Zero Partner Network. Commissioner Guy

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1/15 - 20959850
North Dakota newspapers also post public notices that are printed in newspapers on www.ndpublicnotices.com at no additional charge to you of government.

PUBLIC NOTICE DEADLINES
RECEIVE BY
Publish Thurs 12 Noon
Tues Fri 12 Noon
Wed Sat 12 Noon
Thurs Mon 5PM
Fri Tues Noon
Sat Wed 12 Noon
*Early Deadlines For Holidays.

#11
1-24-19

Testimony of Steve Andrist
Executive Director, North Dakota Newspaper Association
Before the North Dakota House Political Subdivisions Committee
In Opposition to HB 1229

Chairman Dockter and members of the committee: My name is Steve Andrist, and as executive director of the North Dakota Newspaper Association I represent the 78 weekly and 10 daily newspapers in the state.

HB 1229 proposes two changes to North Dakota law, both of which have the effect of reducing long-standing government transparency. These changes are proposed as a way to reduce the cost of government, which they would do. But the savings they would achieve would be barely noticeable to most counties, and would come with the added cost of reduced transparency.

How a county spends the tax dollars it collects from citizens is precisely the type of information those citizens want and need to know. Eliminating the list of bills paid from the minutes that are published in the official county newspaper reduces access to this important information. It's true that this information would be available on line to those who want to take the time to search for it. But searching the local county website isn't part of a daily or weekly routine for most of us. On the other hand, many of us still regularly read our local newspaper. When we do, it can be a serendipitous experience -- we find interesting, useful and important information that we weren't necessarily looking for, and when we find it we stop to read it. I'd be pretty surprised if there are many citizens browsing a county web site to see if they'll find anything of interest or import.

Then there's the cost issue. Last year, to provide information for the Interim Judiciary Committee, NDNA conducted a survey of its members to determine how much is spent on public notices. We found that in a one-year period from July 1, 2016 to June 30, 2017, the 53 counties spent about \$480,000 on ALL public notices. That's an average of less than \$10,000 per county, though of course Cass County spent considerably more than Billings County.

#11

1-24-19

HB 1229

That \$10,000 per county average includes minutes, bids, meeting notices, public hearings, budget reports, election notices and more. The list of bills makes up a only a small portion of only one of those public notices -- the minutes. Accordingly, the list of bills constitutes an almost imperceptible portion of any county's annual budget, which suggests the savings achieved by eliminating them from the minutes would be almost imperceptible.

The same cost-saving analysis would also apply to the second change proposed by this bill -- removing the requirement for publishing the abstract of votes in the official county newspaper. In most cases, the cost of publishing results of an election is less than the cost of health insurance for one commissioner for one month. (See chart.)

We recognize that election results are widely and immediately publicized online. But there are many citizens in our state who still don't have or use the internet. There are many others who don't have a sufficient stake in the process to take the time to browse to online sources. Many of those same people may very well be motivated to look at precinct-by-precinct results as they come across them in their official county newspaper.

So once again, it is our view that the result of changing this law would be a very small cost savings in exchange for noticeable loss of transparency.

There are three other points I'd like to offer for your consideration:

- 1) A few years ago, a survey conducted by Newton Marketing and Research revealed, among other things, that 70 percent of North Dakota adults would likely not read public notices if they were available only on government web sites.
- 2) A 2017 survey by Pulse Research of Portland, OR., reveals 58% of ND adults prefer to get public notices in the newspaper, while 33% prefer web sites. That result suggests a need to offer both options.
- 3) Newspapers offer both options. Several years ago NDNA established a state-wide public notice web site. That site has recently been upgraded, and the House Judiciary Committee last week passed a bill to require newspapers to post all their public notices to it. We believe a third-party site that aggregates all public notices to one web site is more useful than publishing them on hundreds of different government web sites.

Thanks for your time and attention. I'd be happy to try to answer any questions you might have about this bill or about our statewide public notice web site.

Thank you.

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Publication costs of election abstracts

County	2018 Primary	2016 General
Cavalier	\$181.50	\$126.72
Eddy	\$210.54	\$206.25
Renville	\$214.62	\$262.80
Burke	\$230.88	\$284.16
Benson	\$271.05	\$294.45
Pierce.....	\$344.00	\$823.00
McHenry.....	\$345.45	\$338.10
Bottineau	\$408.32	\$446.60
Morton.....	\$669.88	\$435.00
Pembina	\$808.67	\$535.92
Richland.....	\$922.32	\$1,523.88
Sargeant.....	\$1,346.16	\$807.91
Burleigh	\$3,186.12	\$1,638.60
Grand Forks	\$4,026.27	\$2,462.67
Cass	\$6,588.56	\$2,426.68



#12
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1-24-19

PO Box 29 • 323 Main Ave • Napoleon, ND 58561 • Phone & Fax: 701-754-2212

Email: homestead@napoleonnd.com • www.centraldakotanews.com • Official Newspaper of Logan County

January 23, 2019

Chairman Dockter and members of the House Political Subdivision Committee.

My name is Terry Schwartzenberger, editor/publisher of the official Logan County Newspaper in Napoleon.

I am urging you to vote no on HB 1229 and here are a few reason why.

What can you get that costs less than \$1.00 per year?

Well, if you live in Logan County the cost of publishing the list of Logan County bills from January 2018 through December of 2018 was 93 cents for each eligible voter (1,502) for the entire year. That is less than \$1.00 for an entire year to be able to read and view the list in either printed or in electronic format, which ever the taxpayer/reader may want to access. Yes, those bill listings are currently in print format, something which can be trusted and not manipulated or hacked and can be accessed for years and years. As an added bonus those same public notices are also now being posted on the NDNA public notices web site.

I don't believe there is a magical number which states how much government transparency should cost, but in 2018 the county of Logan spent \$1,404.15 to have the listing of their bills published in the Napoleon Homestead. That was the total cost for the entire year. Now for the cost of less than \$1.00 per year per eligible voter and to have the opportunity to be able to read where county tax dollars are being spent – that's a bargain.

I believe transparency in all forms of government and this is one of the best ways to build a good, trusting relationship with those footing the tax bill – that being the tax paying citizen, who would not be left in the dark. They could be well informed by being able to read those notices in their community paper.

I also broke down the cost of both the Primary and General Election official abstract of votes for Logan County voters. In the primary election there were 598 voters from across the county who took the time to cast a ballot. The Primary Abstract of votes cost \$306.24 which breaks out to 51 cents per person who cast a ballot in Logan County. For the General Election the cost of publishing the official abstract was \$447.12. At this election there were 1,006 who voted and this breaks out to 44 cents per voter. Once again these figures are both well under \$1.00 per voter.

What can you get for a \$1.00? Well in these instances with a no vote on HB 1229 you will continue to offer voters across the state the ability to be informed citizens at a cost which is very affordable.

Thanks for your time and consideration.

Terry Schwartzenberger
Editor/Publisher

Steele Ozone & Kidder County Press

#13
HB 1229
1-24-19

Ph: 475-2513 115 1st Ave SE, Steele, ND 58482-0350 email: sop@bektel.com

Testimony of Paul Erdelt
Publisher, The Steele Ozone and Kidder County Press
*Before the North Dakota House Political Subdivisions Committee
In Opposition to HB 1229*

Chairman Dockter and members of the committee: My name is Paul Erdelt. I'm the publisher of the local community newspaper in Steele, home of the Coffee Cup, Caribou Coffee, and the World's Largest Sandhill Crane, and I'm the current president of the North Dakota Newspaper Association.

If the point of House Bill 1229 is to save money for counties, it doesn't do a very good job of it. I'll explain that point by giving you some information about monetary savings in Kidder County...In 2018, Kidder County spent just over \$700 to publish the lists of their bills in my newspaper. That's about \$59 a month, and if you look at the line items, mine would be among the smallest on the list. It's less than what they've spent on flowers for a funeral, or mileage to Bismarck. It's far less than what they pay Verizon for cell phone service, hotel rooms, or boarding prisoners.

Most will argue, this \$59 a month is as important or more than cell phones or flowers or travel. It's simple, this is an inexpensive way for the county to tell its citizens how their tax dollars are being spent, and to allow them to find these expenditures where they always have been able to...in their hometown paper. To me, changing the law to save that \$59 is penny wise and pound foolish, and I encourage you to vote "no" on HB 1229. Looking for ways to better spend the taxpayer's dollars is the responsible thing to do...but the bang for your buck just isn't here. I can find hundreds of Kidder County residents that read these notices religiously in their newspaper that do agree with me.

Thank you.