

Public Notice

FOSTER COUNTY INDEPENDENT

Proceedings

PROCEEDINGS
OF THE BOARD OF
COUNTY COMMISSIONERS
OF FOSTER COUNTY
SEPTEMBER 6, 2022

At 3:30pm, Chairman Copenhaver called the Foster County Commission meeting to order. Roll call included Commissioner Becky Hagel, Commissioner Alan Scanson, Commissioner David Utke, Commissioner Scott Beumer and Commissioner Pat Copenhaver. Also, present were Interim Auditor Ellen Rounly, Road Superintendent Nate Monson, Foster County States Attorney Kara Brinster, and Foster County Independent Reporter Leasa Lura.

The meeting began with approval of the minutes. Commissioner Hagel made a motion to approve the minutes of the August 16th, 2022, regular meeting with one correction, the August 18th, 2022, special meeting and the August 30th, 2022, special meeting seconded by Commissioner Scanson. All voted aye and the motion passed.

Ellen Rounly, Interim Auditor, presented two lost check affidavits. One for Justin Johnson and one for Nickolas Oster to be approved and included with the bills. Commissioner Hagel made a motion to approve the bills including the two lost check affidavits, seconded by Commissioner Utke. All voted aye and the motion passed.

Bills: 34175, Amazon Capital Services, Inc., \$13.41; 34176, VOID; 34177, Auto Value Parts Store, 9.98; 34178, Bessette Motors, Inc., 26.40; 34179, Brinster Law, P.C., 121.33.

34180, C&J Oil Company, 7,456.51; 34181, Carrington Motors, Inc., 448.48; 34182, Central Business Systems, 125.00; 34183, Central City H2O+, 13.50; 34184, Central City Lumber, Inc., 19.18; 34185, Computer Express, 238.98; 34186, Craig Wiesz, 176.68; 34187, Dakota Dust-Tex, Inc., 119.70; 34188, Department of Transportation, 7,118.69; 34189, Envelopes.com, 485.22.

34190, FC Soil Conservation District, 202.34; 34191, Foster County Independent, 629.50; 34192, Foster County Treasurer, 404.50; 34193, Kinetic Leasing, Inc., 16,658.02; 34194, LEAF, 64.00; 34195, Matthew Bender & Co., Inc., 124.39; 34196, ND Association of Counties, 420.00; 34197, ND Dept. of Transportation, 5.00; 34198, NDACO Resources Group, 16,181.79; 34199, Nickolas Oster, 84.00.

34200, ODP Business Solutions, LLC, 216.98; 34201, Patriot Fuels, 52.19; 34202, Rachel Stokes, 202.30; 34203, Ramada Bismarck Hotel, 172.80; 34204, Randy's Electric, 573.78; 34205, Rick's Wholesale Tire, Inc., 268.00; 34206, Running's Supply, Inc., 456.37; 34207, Stutsman Co. Correction Center, 1,575.00; 34208, US Records Midwest LLC, 1,817.59; 34209, Veterans Information Service, 65.00; 34210, William J. Gale, 497.38; 34211, Justin Johnson, 77.47; 34212, Nickolas Oster, 122.50.

Commissioner Copenhaver asked to add shop buildings under Road Superintendent Nate Monson. Commissioner Utke made a motion to approve the agenda with the addition seconded by Commissioner Scanson. All voted aye and the motion passed.

Old Business
No new business reported for the gravel pit.

Commissioner Hagel stated there is no update with NEXUS contract. She would like to wait until the EM position is decided. Commissioner Hagel will look into the grants discussed.

Commission Policy Updates will remain on the agenda until taken care of, nothing new to report.

New Business
Nate Monson, Road Superintendent, approached the BOCC with an update from the Road Department. There have been no repairs to equipment. A total of 1.69' rain for the month of August. They have durapatched 30 times so far.

Monson talked with Gilbertson's and the flared ends should be installed on the McHenry washout by next week. The Road Department will meet with the State DOT at 8:00 AM on Monday, October 3rd, 2022, at the NDACO conference. Monson has sent ads to the paper for mowing highway ditches. The department is starting to prep for winter with the purchase of sand and will order salt at the end of the month.

Commissioner Copenhaver has spoken with Monson regarding the county shop buildings. There is some damage in the four corners. The BOCC will plan to have a mason look at it and will add to the capital improvement list.

Foster County resident, Mike Murphy, approached the board about 1st St SE (Murphy Road). He's received concerns on how rough the road is. Murphy brought up raising taxes to improve the road as he doesn't want to see the county go backwards. Commissioner Copenhaver spoke on how many paved miles Foster County has (91) and the cost of maintaining those paved roads. Commissioner Hagel discussed the five-year plan the county has with Wold Engineering and the county may be looking at re-milling roads that are currently paved. Commissioner Scanson and Commissioner Utke talked about the meeting they attended and that the county will be receiving information from the NDDOT regarding traffic counts. Discussion was had on potential options for the road and the cost of materials and

labor today verses when the road was first paved. Murphy urged the BOCC to act sooner rather than later.

Craig Wiesz, Building Maintenance, informed the BOCC that it is the recommendation of Interstate Engineering to replace all twenty-five hoses on the generator. He will work on getting a quote and will plan on replacing them in 2023.

Doug Zink and Paul Skadberg with the Foster County Water Board, along with their Attorney, Kale Van Bruggen, and APEX Engineer, Jennifer Malloy via phone, approached the board about a stream study performed and the next steps on the project. The Assessment Drain #1 project will run from Donnie Theis' to Kelly Creek. All construction will follow the NDDOT standards. They are looking at inserting three sixty-inch corrugated culverts. This project will need to be voted on by the landowners affected. If it passes, the cost will be split between the Department of Water Resources incurring 45% of the total project cost. The County is obligated to 40% of the remaining 55% of the project and those that are benefited from the drain will also be assessed. They are estimating the crossing on the highway to cost around \$175,000. This would make the county's share roughly \$38,500. Malloy with APEX Engineering is asking if the BOCC would be willing to go from 40% to 60% estimating their share to be \$57,750. Discussion was had on how this project impacts those downstream. The Water Board is obligated to look at downstream impacts and how to mitigate those impacts. Kale Van Bruggen spoke about the legality of the process. They will have a public hearing on September 29th, 2022, at 8:00 AM in the Chieftain Navajo Room, the landowners will be mailed a packet of the engineering report, land assessed, roster to be taxed, max proposed tax, hearing notice and ballot of whether they are in favor of the project or not. Information will be available in the Auditor's office for the public. Commissioner Utke asked to table this until the next meeting when they have a better idea of costs.

Ellen Rounly, Interim Auditor, brought a raffle for the Carrington youth football program to be approved. Commissioner Hagel motioned to approve the raffle, seconded by Commissioner Scanson. All voted aye and the motion passed. Rounly also presented a contract for propane from Arrowwood. Commissioner Hagel asked to have the number of gallons verified as she has heard of errors and then the BOCC will look at approving.

Interim Auditor Rounly also asked the BOCC for approval to transfer obsolete funds to appropriate funds that are current. Commissioner Hagel made a motion to approve the transfer of negative and positive amounts for obsolete funds be transferred to the appropriate fund, seconded by Commissioner Beumer. All voted aye and the motion passed.

Commissioner Hagel stated that they will look at the extension of expiring mills closer to the primary election in 2024. She stated as far as county mills go, they only question moving forward will be that for the Historical Society. The BOCC discussed the questions posed for the ballot. State's Attorney Brinster specified it should just state the mill rate and not the dollar amount as it will fluctuate from year to year. The Foster County Board of Commissioners resolves the following:

RESOLUTION NO. 2022-01**Historical Society Levy**

WHEREAS, The Foster County Board of Commissioners hereby certifies that the following is a true and correct copy of a resolution duly adopted at the regular meeting held on September 6th, 2022, and;

WHEREAS, A quorum of the Board of County Commissioners was present and voting throughout, and that such resolution has not been modified, rescinded or revoked, and is at present in full force and affect, and;

WHEREAS, The Foster County Historical Society at their August 9th, 2022, meeting approved a motion to request a ballot question for the November General Election be approved by the Foster County Board of Commissioners authorizing a mill increase of one-half (0.50).

RESOLVED, that the Foster County Commission hereby declares authorization for the following question be added to the General Election held November 8th, 2022:

"Shall the Foster County Commission be authorized to levy a one half (0.50) mill increase for the historical works to support the maintenance and upkeep of the Foster County Historical Society, the Foster County Museum and the Putnam House?"

Yes - A "yes" vote means you approve the one half (0.50) mill increase.

No - A "no" vote means you reject the one half (0.50) mill increase.

The resolution was made by Commissioner Beumer, seconded by Commissioner Scanson. All voted aye and the resolution passed.

Commissioner Utke informed the BOCC that EAPC has what they need and will be working on getting more information for upcoming building projects. Commissioner Hagel stated that Foster County will no longer look at switching to NDPHIT in 2023.

Commissioner Utke attended an Ambulance building meeting. The Ambulance went to corporate with some questions and will more than likely have a special meeting to discuss concerns. Commissioner Scanson provided an update from the NDSU community garden, it was a success. There were twelve plots with a total of ten people helping maintain the garden. Commissioner Hagel attended NDACO board meeting where they reviewed their strategic planning. She said there were some great topics discussed and she gave the board praises for how they handle wages with employees. There is a potential in the future if legislation is passed that counties can contract with the state for Emergency Management services. She also mentioned that she will work with the Central Prairie Zone director on Children In Need Of Services (CHINS) to determine shelters available for the Sheriff to transport children in need of services. Commissioner Hagel also recommended to the BOCC that they look at adapting Green Light Operation resolution. This is in support of Veterans. The BOCC asked interim auditor Rounly to make changes to better reflect wording for Foster County and they will look at approving at the next meeting.

With no further business, Commissioner Copenhaver adjourned the meeting at 5:38pm.

SPECIAL MEETING**SEPTEMBER 12, 2022**

At 7:00pm, Vice-Chairman Scanson called the Foster County Commission Special meeting to order. Roll call included Commissioner Scott Beumer, Commissioner Becky Hagel, Commissioner Alan Scanson, Commissioner David Utke and Commissioner Pat Copenhaver via phone. Also present was Interim Auditor Ellen Rounly and Public Health Administrator Lisa Hilbert.

Interim Auditor Rounly suggested creating a capital improvement fund and moving money from the general fund to lower the total amount needed to levy for 2023. Commissioner Beumer made a motion to move \$54,000 to the capital improvement fund and reduce the Sheriff's department budget by \$45,000 and reduce the County Park budget by \$9,000, seconded by Commissioner David Utke. Roll call vote:

- Commissioner Utke - aye
- Commissioner Scanson - aye
- Commissioner Copenhaver - aye
- Commissioner Hagel - aye
- Commissioner Beumer - aye

Discussion was had on building projects for the courthouse and for the public health building. The BOCC will request next year to have all entities that receive money from taxpayers to have financials provided by the preliminary budget deadline.

Commissioner Beumer made a motion to approve the 2023 budget with the change in the Sheriff's department and County Park budgets, seconded by Commissioner Utke. Roll call vote:

- Commissioner Utke - aye
- Commissioner Scanson - aye
- Commissioner Copenhaver - aye
- Commissioner Hagel - aye
- Commissioner Beumer - aye

With no further business, Vice-Chairman Scanson adjourned the meeting at 7:36 pm.

SEPTEMBER 20, 2022

At 3:30pm, Chairman Copenhaver called the Foster County Commission meeting to order. Roll call included Commissioner Becky Hagel, Commissioner Alan Scanson, Commissioner David Utke, Commissioner Scott Beumer and Commissioner Pat Copenhaver. Also, present were Interim Auditor Ellen Rounly, Road Superintendent Nate Monson, Foster County States Attorney Kara Brinster, Foster County Independent Reporter Leasa Lura, Michael Rivinius and Jon Martin with Wold Engineering.

The meeting began with approval of the minutes. Commissioner Hagel made a motion to approve the minutes of the September 6th, 2022, regular meeting and the September 12th, 2022, special meeting seconded by Commissioner Scanson. All voted aye and the motion passed.

Commissioner Scanson made a motion to approve the bills, seconded by Commissioner Beumer. All voted aye and the motion passed.

Bills: 34262, Amazon Capital Services, Inc., \$89.82; 34263, Arrowwood Prairie Co-op, 1,978.06; 34264, Avid Hawk, LLC, 35.00; 34265, Bordulac Bar & Grill, 350.00; 34266, Brager Disposal Service, 290.40; 34267, Bremer Bank, N.A., 70.00; 34268, Briss Oil Company, 282.50; 34269, Cenex - Fleet Fueling, 202.43.

34270, Central Business Systems, 175.51; 34271, Central City Lumber, Inc., 14.99; 34272, Computer Express, 1,280.00; 34273, Dacotah Paper Company, 239.82; 34274, Ellen Rounly, 10.35; 34275, Hailey Edinger, 13.50; 34276, High Plains Equipment, 420.78; 34277, Information Technology Dept., 987.95; 34278, Jeff Goltz, 1,000.00; 34279, Justin Johnson, 137.65.

34280, Matthew Bender & Co., Inc., 46.43; 34281, NAPA Auto Parts, 56.55; 34282, ND Association of Counties, 112.85; 34283, Newman Traffic Signs, 28.89; 34284, Normont Equipment Co., 2,402.68; 34285, North

Dakota State University, 340.00; 34286, Office of Attorney General - 1250, 465.00; 34287, Pat Biel Trucking, Inc., 12,702.00; 34288, Quadient Leasing USA, Inc., 417.00; 34289, Sidwell Company, 32.50. 34290, SincB/Amazon, 58.64; 34291, Wholesale Ag Products, 326.00.

Commissioner Scanson asked to add the shop building under commissioner discussion. Commissioner Utke asked to add five-year plan under Road Department's discussion. Commissioner Beumer made a motion to approve the agenda with the additions, seconded by Commissioner Scanson. All voted aye and the motion passed.

Old Business
No new business reported for the gravel pit, NEXUS professional agreement or Commission Policy Updates.

New Business

Nate Monson, Road Superintendent, approached the BOCC with an update from the Road Department. There have been no major repairs reported. Rain for September totals 0.64" through the twentieth. The flared ends and cleanout have been completed on the McHenry washout. The Road Department and Auditor's office will work on getting all bills sent in for reimbursement. The Road Department will meet with the State DOT at 8:00 AM on Monday, October 3rd, 2022, at the NDACO conference.

Michael Rivinius, Wold Engineering, spoke to the BOCC regarding estimated prairie dog and house bill funding that Foster County is expected to receive. Discussion was had on the McHenry Road repair. Rivinius and the BOCC discussed the process of reclaiming paved roads to gravel. The BOCC would like to work with Rivinius on getting an updated plan for roads in the next five years.

Jennifer Malloy, APEX Engineering, joined the BOCC meeting via phone. She provided a more current cost estimates on amounts for the Assessment Drain #1. The North Dakota Department of Water Resources would be responsible for 45% of the drain totaling \$34,875.00. The county is responsible for 40% of the remaining 55% which equals \$17,050.00. The Water Board is asking the BOCC to consider increasing their share from 40% to 60%. If the county were to increase their share to 60% the amount due would be roughly \$25,575.00. They are anticipating starting the project in fall of 2023, and it will more than likely go into 2024. Discussion was had on if assessed drains is what's best for the county. The assessed drain puts the financial responsibility on the landowners that benefit from the drain, versus every taxpayer in the county. Commissioner Utke stated it is the fairest program for the taxpayers of the county and that it is fiscally responsible to take advantage of the state funding. The BOCC does not want to set a precedent if they decided to increase the counties contribution. State's Attorney Brinster feels that if the BOCC is clear with why they are choosing to go one direction versus another that they will not be setting a precedent. Commissioner Utke made a motion to have Foster County fund 60% of the project on the Bordulac County highway crossing referred to Foster County Assessment Drain #1 as it is a cost savings to the county and townships, seconded by Commissioner Beumer. Roll call vote included:

- Commissioner Utke - aye
- Commissioner Scanson - aye
- Commissioner Copenhaver - aye
- Commissioner Hagel - aye
- Commissioner Beumer - aye

Motion passed. The public hearing regarding the assessment Drain #1 will be September 29th, 2022, at 8:00 AM in the Chieftain Navajo Room.

Ellen Rounly, Interim Auditor, asked the BOCC to approve Donna Anderson as the North Dakota State Fair voting Delegate. Commissioner Beumer made a motion, seconded by Commissioner Scanson. All voted aye and the motion passed. Rounly also presented the board with a propane contract with Arrowwood Prairie Co-op. Commissioner Beumer made a motion to approve the contract and paying the down payment of \$750.00, seconded by Commissioner Hagel. Roll call vote included:

- Commissioner Utke - aye
- Commissioner Scanson - aye
- Commissioner Copenhaver - aye
- Commissioner Hagel - aye
- Commissioner Beumer - aye

Motion passed. The public hearing regarding the assessment Drain #1 will be September 29th, 2022, at 8:00 AM in the Chieftain Navajo Room.

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- Commissioner Copenhaver - aye
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- Commissioner Utke - aye
- Commissioner Scanson - aye
- Commissioner Copenhaver - aye
- Commissioner Hagel - aye
- Commissioner Beumer - aye

Motion passed. The public hearing regarding the assessment Drain #1 will be September 29th, 2022, at 8:00 AM in the Chieftain Navajo Room.

Ellen Rounly, Interim Auditor, asked the BOCC to approve Donna Anderson as the North Dakota State Fair voting Delegate. Commissioner Beumer made a motion, seconded by Commissioner Scanson. All voted aye and the motion passed. Rounly also presented the board with a propane contract with Arrowwood Prairie Co-op. Commissioner Beumer made a motion to approve the contract and paying the down payment of \$750.00, seconded by Commissioner Hagel. Roll call vote included:

- Commissioner Utke - aye
- Commissioner Scanson - aye
- Commissioner Copenhaver - aye
- Commissioner Hagel - aye
- Commissioner Beumer - aye

who have paid the high price for freedom by placing themselves in harm's way for the good of all; and

WHEREAS, Veterans continue to serve our community in the American Legion, Veterans of Foreign Wars, religious groups, civil services and by functioning as County Veteran Service Officers in 29 states to help fellow former service members access more than \$52 billion in federal health, disability and compensation benefits each year; and

WHEREAS, Approximately 200,000 service members transition to civilian communities annually; and

WHEREAS, an estimated 20 percent increase of service members will transition to civilian life in the near future; and

WHEREAS, studies indicate that 44-72 percent of service members experience high levels of stress during transition from military to civilian life; and

WHEREAS, Active Military Service Members transitioning from military service are at a high risk for suicide during their first year after military service; and

WHEREAS, the National Association of Counties encourages all counties, parishes and boroughs to recognize Operation Green Light for Veterans; and

WHEREAS, the Foster County Commission and all county employees appreciate the sacrifices of our United States Military Personnel and believe specific recognition should be granted; therefore be it:

RESOLVED, with designation as a Green Light for Veterans County, Foster County hereby declares from October through Veterans Day, November 11th, 2022 a time to salute and honor the service and sacrifice of our men and women in uniform transitioning from Active Service; therefore, be it further

RESOLVED, that in observance of Operation Green Light, Foster County encourages its citizens in patriotic tradition to recognize the importance of honoring all those who made immeasurable sacrifices to preserve freedom by displaying a green light in a window of their place of business or residence.

The resolution was made by Commissioner Beumer, seconded by Commissioner Utke. Commissioner Hagel stated she purchased green lights from Menards. They are available to purchase in the Auditor's office for \$1.00 per bulb. All voted aye and the resolution passed.

Rounly presented the board with a one-time permit form for the sale of liquor in the county. The form was previously approved at the June 7th regular commission meeting. The BOCC needed to create a resolution to be able to charge for the permit.

RESOLUTION NO. 2022-03**Special Event Permit**

WHEREAS, Title 5 of the North Dakota Century Code provides the authority for the Board of County Commissioners to authorize a qualified alcoholic beverage licensee licensed under this chapter to engage in the sale of alcoholic beverages at events designated by the permit.

WHEREAS, Title 5 of the North Dakota Century Code provides that "qualified alcoholic beverage licensee" means a licensee in a city that imposed a city lodging and restaurant tax on July 31, 1993, who paid the tax and who continues to pay any such tax imposed by the city or a licensee in a county, a licensee in a city that did not impose a city lodging and restaurant tax on July 31, 1993, or a tribal licensee.

WHEREAS, Title 5 of the North Dakota Century Code provides that a fee for the permit may be set at not more than twenty five dollars;

WHEREAS, Title 5 of the North Dakota Century Code provides that the permit may not be valid for more than 14 days;

RESOLVED, that the Foster County Board of Commissioners hereby declares that pursuant to Title 5 of the North Dakota Century Code, an event permit shall be required to engage in the sale of alcoholic beverages by qualified alcoholic beverage licensee and a fee of twenty-five dollars shall be required for said permit.

The resolution was made by Commissioner Hagel, seconded by Commissioner Scanson. All voted aye and the motion passed. Commissioner Hagel updated the BOCC with numbers received from NDPHIT. The Commissioners feel it is best to wait at this time before making health insurance changes. Commissioner Utke touched on the timeline for building projects. The board is waiting for specifications for bidding the lower level and do not have an update on the Public Health building roof. There is no update for the Ambulance building, committee reports or reoccurring calendar. Commissioner Scanson has spoken with a mason from Bottineau for the old shop building. Commissioner Hagel made a motion to approve him coming and reviewing the property, seconded by Commissioner Utke. All voted aye and the motion passed.

With no further business, Commissioner Copenhaver adjourned the meeting at 4:54pm.

SPECIAL MEETING**SEPTEMBER 28, 2022**

At 10:31 am, Chairman Copenhaver called the Foster County Commission Special meeting to order. Roll call included Commissioner David Utke, Commissioner Pat Copenhaver, Commissioner

Alan Scanson via phone, and Commissioner Becky Hagel via phone. Also present was Interim Auditor Ellen Rounly and Foster County Independent Reporter Leasa Lura.

Interim Auditor Ellen Rounly presented the BOCC with a resignation from Public Health Nurse, Amber Kruse. Commissioner Utke made a motion to accept the resignation seconded by Commissioner Hagel. All voted aye and the motion passed. Rounly also asked to open the position and run an ad in the newspaper for two weeks. Commissioner Scanson made a motion to open the position and run the ad for two weeks in the Foster County Independent seconded by Commissioner Utke. All voted aye and the motion passed.

With no further business, Chairman Copenhaver adjourned the meeting at 10:33 am.

Ellen Rounly, Interim Auditor
Pat Copenhaver, Chairman,
Foster County
Board of Commissioners
(Publish October 17, 2022)

ANALYSES OF THE STATEWIDE MEASURES APPEARING ON THE ELECTION BALLOT NOVEMBER 8, 2022

The following analyses are for the two measures appearing on the statewide general election ballot on November 8, 2022. This publication is required by section 16.1-01-07 of the North Dakota Century Code to enable voters to become familiar with the effect of proposed measures. The full text of each measure is available on the Secretary of State's website at vote.nd.gov or by requesting a copy from the Elections Division, Secretary of State's office at (800) 352-0867, ext. 328-4146, or from the office of any County Auditor.

In addition, as required by section 16.1-01-17 of the North Dakota Century Code, a copy of the Legislative Council's report on the estimated fiscal impact of initiated Measures No. 1 and No. 2 is available on the Secretary of State's website at vote.nd.gov, by calling (800) 352-0867, ext. 328-4146, or by writing to Secretary of State, 600 E Boulevard Avenue, Dept 108, Bismarck ND 58505-0500.

Analysis of Initiated Constitutional Measure No. 1

Initiated Constitutional Measure No. 1 was placed on the ballot by petitions circulated by a sponsoring committee. If approved, it would add a new article to the North Dakota Constitution. Under the measure, an individual could not serve as a state legislator for a total of more than eight years in either the North Dakota House of Representatives or the North Dakota Senate, separately. It also would prohibit an individual from being elected as Governor more than twice. Service as a member of the legislature or election to the office of governor before the effective date of this measure would not count towards an individual's eight-year or two-election limit. An individual would not be allowed to serve a full or remaining term as a member of the legislature if serving the term would cause the individual to serve a total of more than eight years in that particular house. Any amendment to this article could not be proposed by the legislature, but only by citizen initiative. The article would become effective on January 1, 2023 if approved by the voters. If the measure conflicts with any other provision of the constitution, the measure states it would prevail over the other constitutional provision.

The estimated fiscal impact of this measure is \$0 per biennium.

Voting "YES" means you approve the measure summarized above. Voting "NO" means you reject the measure summarized above.

Analysis of Initiated Statutory Measure No. 2

Initiated Statutory Measure No. 2 was placed on the ballot by petitions circulated by a sponsoring committee. If approved, it would create a new chapter of the North Dakota Century Code. It would legalize the production, processing, and sale of cannabis and the possession and use of various forms of cannabis by individuals who are 21 years of age or older, within limitations as to location; direct a state entity to regulate and register businesses that produce or dispense cannabis for use by individuals aged 21 years or older, and the businesses' agents; permit an individual aged 21 years or older to possess a limited amount of cannabis product; provide protections, limitations, penalties, and employer rights relating to use of cannabis products; and specify that fees are to be appropriated for administration of the chapter.

The estimated fiscal impact of this measure beginning in 2023 through the 2025-2027 Biennium is Revenue of \$3,145,000 and Expenses of \$4,985,000.

Voting "YES" means you approve the measure summarized above. Voting "NO" means you reject the measure summarized above.

(Publish October 10 & 17, 2022)

Southeast District Court

Aug. 1, 2022 - Aug. 31, 2022
Criminal

Cristoffer Alan Bertilson, Carrington, N.D.:
• Driving under revocation. Condition: Comply with payment agreement. Not possess or own fire arms. Notify court of address change. Unsupervised probation. Violate no criminal laws. Set up payment schedule. Fees: criminal admin. fee: \$125; defense/facility admin. fee: \$100; fine/state: \$250; indigent defense application fee: \$35; victim-witness fee: \$25. Confinement: Agency: Stutsman County Correctional Center, term: 10 days. Credit for time served: 1 day. Concurrent.
• Driving under revocation. Condition: Comply with payment agreement. Not possess or own fire arms. Notify court of address change. Set up payment schedule. Unsupervised probation. Violate no criminal laws. Fees: criminal admin. fee: \$125; defense/facility admin. fee: \$100; indigent defense application fee: \$35; victim-witness fee: \$25. Confinement: Agency: Stutsman County Correctional Center, term: 10 days. Credit for time served: 1 day. Concurrent with count 2.
• DUI - drugs: Condition: Chemical Dependency Evaluation. Complete recommended treatment. Comply with payment agreement. Not possess or own fire arms. Notify court of address change. Unsupervised probation. Violate no criminal laws. Fees: fine/state: \$500. Confinement: Agency: Stutsman County Correctional Center, term: 10 days. Credit for time served: 1 day. Concurrent with count 1.

Stephanie Dawn Garter, New England, N.D.: fleeing a police officer - vehicle. Condition: Comply with payment agreement. Not possess or own fire arms. Notify court of address change. Set up payment schedule. Unsupervised probation. Violate no criminal laws. Fees: criminal admin. fee: \$200; defense/facility admin. fee: \$100; victim-witness fee: \$25. Confinement: Agency: Stutsman County Correctional Center, term: 30 days. Suspended: 10 days. Concurrent with the sentence the defendant is currently serving. Concurrent with count 1.
Patrick Arthur Freeman, West Fargo, N.D.: deposit or refuse/littering (Game & Fish). Fees: fine/state: \$100
Anthony L. Waswick, Minot, N.D.: issuing check or draft without funds or credit, \$100-\$500. Fees: criminal admin. fee: \$125; defense/facility admin. fee: \$100; fine/state: \$75; NSF costs/county, \$74; restitution, \$292.50

Jesse Ledrew Gipson, Bismarck, N.D.: driving while license under revocation. Condition: Pay fine from bond posted. Fees: criminal admin. fee: \$125; defense/facility admin. fee: \$100; indigent defense application fee: \$35; victim-witness fee: \$25. Confinement: Agency: Stutsman County Correctional Center, term: 30 days. Credit for time served: 30 days.
Heather Jorene Hoyt, Carrington, N.D.: duty upon striking unattended vehicle. Condition: Comply with payment agreement. Not possess or own fire arms. Notify court of address change. Set up payment schedule. Unsupervised probation. Violate no criminal laws. Fees: criminal admin. fee: \$200; defense/facility admin. fee: \$100; fine/state: \$300; victim-witness fee: \$25. Confinement: Stutsman County Correctional Center, term: 10 days. Suspended: 10 days.

Zachary David Johnson, Carrington, N.D.: DUI - 16% or greater - 1st offense. Condition: Chemical Dependency Evaluation. Community Service in lieu of jail, 20 hours. Complete recommended treatment. Comply with payment agreement. Not possess or own fire arms. Notify court of address change. Unsupervised probation. Violate no criminal laws. Fees: community service supervision fee: \$25; criminal admin. fee: \$125; defense/facility admin. fee: \$100; fine/state, \$750; victim-witness fee: \$25. Confinement: Agency: Stutsman County Correctional Center, term: 10 days. Suspended: 8 days.

Jessica Layne Racine, New England, N.D.: driving under suspension - 4th or subsequent offense in 5 years. Condition: Not possess or own fire arms. Notify court of address change. Unsupervised probation. Violate no criminal laws. Fees: criminal admin. fee: \$200; defense/facility admin. fee: \$100; victim-witness fee: \$25. Confinement: Agency: Stutsman County Correctional Center, term: 30 days. Concurrent with the sentence the defendant is currently serving.

Devin Gregory Waters, West Fargo, N.D.: unlawful possession of drug paraphernalia - use/storage - marijuana or tetrahydrocannabinol. Condition: Pay fine from bond posted. Fees: fine/state: \$150.
Stephanie Dawn Garter, New England, N.D.:
• Reckless endangerment. Comply with payment agreement. Not possess or own fire arms. Notify court of address change. Set up payment schedule. Unsupervised probation. Violate no criminal laws. Unsupervised probation commences upon release from incarceration for a period of 360 days. Fees: criminal admin. fee: \$200; defense/facility admin. fee: \$100; victim-witness fee: \$25. Confinement: Agency: Stutsman County Correctional Center, term: 30 days. Suspended: 10 days. Concurrent with the sentence the defendant is currently serving. Concurrent with count 2.
• Driving under revocation - 4th or subsequent off in 5 years. Not possess or own fire arms. Notify court of address change. Unsupervised probation. Violate no criminal laws. Stutsman Correctional Center, term: 30 days. Suspended: 10 days. Concurrent with the sentence the defendant is currently serving. Concurrent with count 1.
Patrick Arthur Freeman, West Fargo, N.D.: deposit or refuse/littering (Game & Fish). Fees: fine/state: \$100
Anthony L. Waswick, Minot, N.D.: issuing check or draft without funds or credit, \$100-\$500. Fees: criminal admin. fee: \$125; defense/facility admin. fee: \$100; fine/state: \$75; NSF costs/county, \$74; restitution, \$292.50

Jeremy Allan Gaetzman, Glenfield, N.D.: speeding, \$20
Elias G. Garza, Jr.: speeding, \$25
Randy Allen Gisvold, Carrington, N.D.: speeding, \$10
Lus Gutierrez, Lexington, N.C.: speeding, \$90
David Earl Handley, Pingree, N.D.: speeding, \$20
Porsche A. Hill, Salamanca, N.Y.: disregarding a stop sign, \$40
Linda M. Hope, Langdon, N.D.: speeding, \$20
Michael Anthony Houdek, Black Hawk, S.D.: speeding, \$10
Ivy Jean Jacobson, Fullertown, N.D.: speeding, \$20
Rachael Joy Johnson, Red Lake Falls, Minn.: speeding, \$20
Scott Allan Jurk, Jarrell, Texas: speeding, \$20
Wayne Allen Kamoni, Robinson, N.D.: speeding, \$25
Scott John Klemetsrud, Devils Lake, N.D.: speeding, \$20
Dawn Nicole Kollman, Carrington, N.D.: speeding, \$20
Travis Bailey Konecny, Hadonfield, N.J.: speeding, \$20
Kellie McCall Kvislen, Minot, N.D.: speeding, \$20
James Patrick Lambert, Minot, N.D.: speeding, \$10
Jonathan Brock Lura, Carrington, N.D.: tinted windows, \$20
Richard Paul Makuski, Stevens Point, Wis.: speeding, \$20
Troy Cameron Mullin, Lambert, Mont.: speeding, \$15
Carlos Cesar Nunez, Clarion, Iowa: speeding, \$20
Kelsey Mariah Parisien, Jamestown, N.D.: No driver's license in possession, \$20
Dafne Rae Pethel, Jamestown, N.D.: speeding, \$20
William Linus Pfahl, Dunseith, N.D.: speeding, \$20
Dalton Lyle William Prouty, Jamestown, N.D.: tinted windshield or windows, \$20
Jeremy Julius Rainbow, Devils Lake, N.D.: speeding, \$20
Draven Lee Richards, Wahpeton, N.D.: tinted windshield or windows, \$20
Paul Patrick Ripplinger, Enderlin, N.D.: tinted windshield or windows, \$20
Elliot John Rognilen, Bottineau, N.D.: failure to display number plates, \$20
Joshua Lee Rourke, Universal City, Texas: speeding, \$95
Errol Gene Schmidt, Medina, N.D.: speeding, \$15
Adrian Lee Schooley, West Valley, Utah: speeding, \$20
Amy E. Simmonds, Carlyle, Sask., Can.: speeding, \$20
Regina Louise Stump, Phelan, Calif.: speeding, \$95
Jane Kathleen Sullivan, Santa Cruz, Calif.: speeding, \$20
Cesar Alejandro Valdez, Highland, Ind.: speeding, \$70
Frans Van Der Sandt, Ogallala, Neb.: speeding, \$20
Tyler Jay Weber, New Rockford, N.D.: tinted windshield or windows, \$20
Evan Patrick Whiteford, Epping, N.D.: failure to display registration tabs, \$20
Kirk Edward Zink, Hillsboro, N.D.: speeding, \$11
Tyler J. Bonkowski, Regina, Sask., Can.: speeding, \$30
Mason Robert Boorum, Crocker, Mo.: speeding, \$20
Taylor Faye Dammann, Fargo, N.D.: speeding, \$20
Jose Luis Medina-Romero, Apple Valley, Minn.: \$45
Marthienus Wessels Pretorius, Leduc, Alberta, Can.: speeding, \$45
Alexander S. Roumaniotis, Oxford, Pa.: speeding, \$75
Ross Allen Smith, Tolna, N.D.: speeding, \$45; failure to wear seat belt, \$20

Aug. 1, 2022 - Aug. 31, 2022
Traffic

Kelly Lynne Andrews, Tuttle, N.D.: speeding, \$10
Debra Katherine Belquist, New Rockford, N.D.: speeding, \$20
Cash Brock Biel, Carrington, N.D.: speeding, \$20
Lawrence Silas Billiter, Minot, N.D.: violation of registration provisions - driver, \$20
David Allan Bischoff, Courtenay, N.D.: speeding, \$20
Sheree Ann Bush, New Rockford, N.D.: speeding, \$20
Brian Michael Chandler, Jamestown, N.D.: speeding, \$10
Chol Chol, Fargo, N.D.: speeding, \$20
Michael Charles Darnell, Saint Petersburg, Fla.: speeding, \$10
Jacob Gerald Delvo, Langdon, N.D.: speeding, \$40
Shannon Ray Dieterle, Kief, N.D.: speeding, \$20
Christina Hillius Dockett, Medina, N.D.: speeding, \$25; violation of registration provisions - driver, \$20
Jacob Elijah Elston, Sanborn, N.D.: speeding, \$45
William Andrew Ferrante, Edmore, N.D.: speeding, \$20
Philip James Foss, Bismarck, N.D.: speeding, \$20
Isaac Wayne Friese, Harvey, N.D.: failure to display number plates, \$20

recting the governing body to do so.
Voting "YES" means you approve the measure as summarized above. Voting "NO" means you reject the measure as summarized above.
(Publish October 10 & 17, 2022)

ORDINANCE No. 275

An ordinance enacting Article VI Chapter 30 of the Code of the City of Carrington, North Dakota, relating to the illegal discharge in storm drain system.
(g) **Criminal prosecution.** Any person that has violated or continues to violate this ordinance shall be guilty of an infraction for a first offense with a fine of not less than \$100. A second violation within the same year shall be a fine of not less than \$250.00. A third offense within the same year is punishable as a class B misdemeanor, and shall be subject to a criminal penalty of \$1500 per violation per day and/or imprisonment for a period of time not to exceed 30 days.
The city may recover all attorney's fees, court costs, and other expenses associated with enforcement of this ordinance, including sampling and monitoring expenses.
First Reading September 12, 2022
Second Reading October 10, 2022
Final Passage October 10, 2022
(Publish October 17, 2022)

Analysis of the county-wide measure appearing on the election ballot November 8, 2022

The following analysis is for the measure appearing on the countywide general election ballot on November 8th, 2022. This publication is required by section 16.1-01-07 of the North Dakota Century Code to enable voters to become familiar with the effect of proposed measures.
County Measure No. 001
County Measure No. 001 was placed on the ballot by a resolution of the Foster County Board of County Commissioners on September 6th, 2022. If approved, this county measure would authorize an annual tax levy for the purposes of providing services to Foster County Historical Society not to exceed three fourths mill (0.75) of net taxable valuation of all taxable property within the boundaries of Foster County. This levy is authorized by NDCC 11-11-53 and may be imposed only by a vote of the majority of qualified electors of the county voting on the question di-

Report G&F violations

The North Dakota Game and Fish Department encourages hunters, anglers and landowners who witness a fish or wildlife violation to file a report with the Report All Poachers program.
Witnesses should report a violation by calling RAP at 701-328-9921.
Witnesses should note the vehicle description, including make, color, license plate number and state issued. Description of the violator should also be considered.
The RAP line offers rewards - from \$100 to \$1,000 depending on the nature and seriousness of the crime - for information leading to the conviction of fish and wildlife law violators. Reports can also go directly to game wardens or other law enforcement agencies. Callers can remain anonymous.

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