

Public Notice

NOTICE OF EXECUTION SALE
Civil No. 14-2023-CV-00003
IN DISTRICT COURT, EDDY COUNTY, NORTH DAKOTA
The Industrial Commission of North Dakota, acting as the North Dakota Housing Finance Agency, Plaintiff,
- vs. -
Drae J. Malzahn, single man; and any other person in possession; Defendants.

NOTICE IS HEREBY GIVEN, that by virtue of a judgment and decree of foreclosure rendered and given in the District Court in and for the County of Eddy, North Dakota, Southeast Judicial District, entered and docketed in the Office of the Clerk of said Court on May 16, 2023, in an action wherein The Industrial Commission of North Dakota, acting in its capacity as the North Dakota Housing Finance Agency was Plaintiff and Drae J. Malzahn, single man; and any other person in possession; were the Defendants; on which day it was adjudged that there was due and owing the Plaintiff from the Defendant Drae J. Malzahn together with costs and disbursements of said action, the sum of \$50,988.78, and by virtue of a Special Execution issued to me by the Clerk of said Court, I will sell the real property described in said judgment and hereafter described to the highest bidder for cash at public auction at the front door of the Court-house in the City of New Rockford, County of Eddy, North Dakota, on September 13, 2023, at the hour of 10:00 a.m. of that day to satisfy the amount due with accrued costs and interest at the date of sale, or so much thereof as the proceeds of said sale applicable thereto will satisfy.

The premises to be sold as aforesaid are situated in the County of Eddy, State of North Dakota, and are more particularly described as follows:
The East Half of Lot Ten and all of Lot Eleven, Block One, East Side Addition, Sheyenne, Eddy County, North Dakota.
APN #: 20-0040-09650-000
(Street Address: 418 Sheyenne Avenue, Sheyenne, ND 58374)
Dated at New Rockford, North Dakota, this 3rd day of August, 2023.

Paul Lies
Sheriff of Eddy County,
North Dakota
Sarah A. Aaberg (ND ID #08393)
Special Assistant Attorney General for the Industrial Commission of North Dakota acting as the North Dakota Housing Finance Agency
Attorney for Plaintiff
720 Main Avenue
Fargo, North Dakota 58103
701.235.8000
sarah@okeeffeatorneys.com
Published August 14, 21 and 28, 2023.

AMENDMENT TO EDDY COUNTY ZONING ORDINANCE RESOLUTION
WHEREAS, the Eddy County Board of County Commissioners (hereinafter "the Board"), pursuant to North Dakota Century Code Chapter 11-33, adopted the 2017 Eddy County Zoning Ordinance on March 21, 2017;
WHEREAS, said Ordinance, Articles 7 and 8, authorizes the Board to review, approve, modify and deny the recommendations of the Eddy County Zoning Commission;
WHEREAS, on July 10, 2023, the Eddy County Zoning Commission approved a recommendation to add the Model "B" Floodplain Ordinance adopted by Eddy County on March 21, 2017 to the 2017 Eddy County Zoning Ordinance;
WHEREAS, the Eddy County Zoning Commission recommends that the Board approve the addition of the Floodplain Ordinance to the 2017 Eddy County Zoning Ordinance;
WHEREAS, the addition of the Floodplain Ordinance into the 2017 Eddy County Zoning Ordinance will allow Eddy County to secure FEMA funding and protections;
WHEREAS, the Floodplain Ordinance is designed to promote the public health, safety, and general welfare of its citizenry;
WHEREAS, Commissioner Glenda Collier moved to approve the recommendation of the Eddy County Zoning Commission and Commissioner Jamie Allmaras seconded the motion and the motion having passed by unanimous roll call vote of the Board;
NOW, THEREFORE, BE IT RESOLVED, that the County Commission of Eddy County hereby adopts the Model "B" Floodplain Ordinance into its 2017 Eddy County Zoning Ordinance this 1st day of August, 2023 as Addendum "A".
The amendment approved herein shall be immediately incorporated into the officially adopted text of the 2017 Eddy County Zoning Ordinance is adopted this 1st day of August, 2023 and shall be effective the 6th day of September, 2023.
Dave Gehrtz,
Chairperson
Patty Williams,
Auditor

STATE OF NORTH DAKOTA,
COUNTY OF EDDY
On this 1st day of August, 2023, personally appeared before me, a notary public within the aforesaid County and State, Dave Gehrtz and Patty Williams, to me personally known to be the Chairperson of the Board of County Commissioners and the Auditor, respectfully, of Eddy County, and acknowledged to me that they executed the within instrument for and on behalf of Eddy County.
Ashley L. Lies
Notary Public
Eddy County, North Dakota
STATE OF NORTH DAKOTA,
COUNTY OF EDDY
I, Ashley L. Lies, State's Attor-

ney in and for the County of Eddy, State of North Dakota, acting as Secretary of the Eddy County Planning Commission, do hereby certify that the attached entitled document is a true and correct original of the Amendment to the Eddy County Zoning Ordinance Resolution which was adopted by the Eddy County Commission on the 1st of August, 2023.
Witness my hand and official seal of Eddy County, North Dakota, this 1st day of August, 2023.
Ashley L. Lies
Date of First Publication: August 7, 2023.
Published August 21, 2023

MINUTES OF REGULAR MEETING NEW ROCKFORD CITY COMMISSION NEW ROCKFORD, NORTH DAKOTA NEW ROCKFORD CITY HALL AUGUST 7, 2023

President Richter called the meeting to order at 7:00 pm at City Hall with Commissioner Ystaas, Commissioner Belquist, Commissioner Hewitt and Commissioner McKnight present. Also, present Attorney Peterson and PWS Hirschert.
McKnight made a motion to approve the agenda, Ystaas seconded. All in favor. Motion carried.
Ystaas made a motion to approve July 10, 2023, meeting minutes as presented. Belquist seconded. All in favor. Motion carried.
Richter made a motion to approve the July 25, 2023, special meeting minutes. Belquist seconded. All in favor. Motion carried.

Ystaas made a motion to approve the financials as presented. Hewitt seconded. All in favor. Motion carried.
Ystaas made a motion to approve the July bills. Richter seconded. In a roll call vote, Richter, Hewitt, McKnight, Ystaas and Belquist voting "aye". No nay votes. Motion carried.
Ashton Reimche577.88
Beau Kyrola792.15
Daryl Bichler456.91
Shaun Reimche647.32
Transcript Publishing993.43
Peterson Law Offices ...6,627.00
Northern Plains Electric...179.37
NDTC433.21
ND One Call17.59
Napa Auto Parts41.64
ND State Chem. Lab812.94
Millers Fresh Foods50.44
Mike Nicolai224.71
Mid American Research Chemical2,278.04
Linderman Const424.00
Jennifer Jacobson64.20
J&R Dirt Works1,891.48
Hawkins9,025.68
Hager Excavating1,092.00
Eddy County13,397.00
Duchscherer Supply268.96
Diana Odstroil18.70
Dakota Dust-Tex74.20
Central Plains Water Dist...34.70
CenDak Coop200.62
Kristy O'Connor500.35
ND PERS2,892.42
EFTPS4,480.40
Payroll15,194.77
Insure Forward21,883.00
Shaun Reimche1,012.49
Daryl Bichler494.69
Beau Kyrola1,258.39
Ashton Reimche926.85
CC Steel3,325.40
Central Plains Water Dist...42.62
EcoLab104.49
Elan Financial Service545.25
Hawkins7,623.99
Ironhide Equipment400.00
KS Construction4,200.00
Mick's 281 Service2,005.73
MDU342.81
NR Park District5,372.15
Newman Signs255.00
NRABC6,303.55
Ottertall Power Co5,116.78
Pat Biel Trucking315.84
Viking Electric39.25
Warren Implement149.76
Wigen Water Tech10,150.20
EFTPS882.16
EFTPS82.90
State of ND247.00
State of ND624.00

Senger from Interstate Engineering presented the final pay estimate from Bituminous Paving for \$279,589.34, Change Order #3 for a reduction in cost (\$532,117.63), an Acceptance & Certification and Initiation of Operation.
Belquist made a motion to approve the final pay estimate from Bituminous Paving for \$279,589.34, Change Order #3 for a reduction in cost for (\$532,117.63), the Acceptance and Certification and the Initiation of Operation. Hewitt seconded the motion. In a roll call vote, Richter, Hewitt, McKnight, Ystaas and Belquist voting "aye". No nay votes. Motion carried.
There was discussion on the letter submitted to the commissioners from Interstate Engineering describing the challenges and timeline of efforts made to rectify the issues. Senger described the process of attempting to balance the pH in the water and which chemicals are used to assist in this process. The city will be exploring a different chemical company, as well as gathering samples from around town to try and figure out where and why there is still periodic brown water.
Dean Vorland addressed the commission with concerns regarding the gravel street by his property. Vorland described the street to have several wash board areas, and ruts. Richter and Senger both agreed to look at the area.
George Ritzke addressed the commission with concerns he had about the city fogging the New Rockford Golf Course. Ritzke had previously submitted a letter of concern to the commission, and received a letter back stating that the city owns the golf course. There was discussion that the City of New Rockford owns the land at the golf course, and not the clubhouse and therefore is not in competition with other businesses in New Rockford as

suggested by Ritzke. No action was taken.
PWS Hirschert reported that he finished up punch list for street project with Senger. Hirschert has CC Steel here to work on piping at water plant. The pipe was cleaned out and partly replaced, resulting in much better pressure. Staff has been sickle mowing and spraying weeds are needed. Staff have also begun to paint crosswalks.
Belquist made a motion to approve the PWS report as presented. Hewitt seconded. In discussion McKnight asked when garbage totes will be moved back to the alleys and Hirschert advised they could be moved sometime. McKnight asked if in the following week, totes could be picked up in alleys vs streets, Hirschert agreed. All in favor. Motion carried.
Sharon Hope gave an update on the Eddy-New Rockford Public Library. There were over 2200 books and periodicals rented in the previous year. Overdrive the online portal to rent books, rented more eBooks than physical books. The library added more patrons this year, the number of patrons, just about matching our city population. The library is looking to extend their large print books. Hope suggested the board consider adding a new member to Library Board, she suggested Lyndsey Smith.
Richter made a motion to approve Lyndsey Smith as the newest member of the Eddy-New Rockford Public Library Board. McKnight seconded. All were in favor. Motion carried.
Brian Hopfauf reported that the Fire Hall will be getting new steel siding, a new garage door, and gutters. The fireman volunteering by doing the labor. Hopfauf estimated the cost will be \$20,000.00.

OLD BUSINESS:
Substandard house letters were mailed on July 3, 2023. The hearing is scheduled for August 28th at 8:00 am at City Hall.
Richter read the proposal submitted regarding utility bill charges. The policy stated that: Empty lots with a curb stop will receive a monthly bill for sewer and/or water debt service charge; and mosquitoes and streetlights charges/fees.
Lots with a curb stop and a service line to a structure will receive a monthly bill at the minimum rate for water; sewer and/or water debt service charge and garbage, mosquitoes, and streetlights charges/fees.
Lots with a curb stop and a service line to a structure, upon request of the owner and after removal of the water meter by City of New Rockford Public Works, will receive a monthly bill for sewer and/or water debt service charge; and garbage, mosquitoes, and streetlights charges/fees. The fee to replace the removed water meter is \$50.00.
Lots with farm hydrants will be billed monthly the same as an empty lot with a curb stop; plus water and sewer usage fees in an amount determined appropriate, on a case by case basis, after review by the City Commission.
Belquist motioned to approve the proposed policy effective immediately. Hewitt seconded. In a roll call vote, Richter, Hewitt, McKnight, Ystaas and Belquist voting "aye". No nay votes. Motion carried.

NEW BUSINESS:
Ystaas made a motion to approve local gaming permits for the New Rockford Park District. McKnight seconded. All were in favor. Motion carried.
Ystaas made a motion to approve building permits for Robert Lies. Hewitt seconded. All in favor. Motion carried.
The nuisance and junk cars list was reviewed and Attorney Peterson suggested Auditor Schumacher get letters out this week. A change was made to the previous wording of the document. Those receiving the letter will get 21 days from receipt of the letter to abate the nuisance, the previous document allowed only 7 days.
The 2024 Police Contract was reviewed and discussed.
McKnight made a motion to approve the 2024 Police Contract as presented. Belquist seconded the motion. In a roll call vote, Richter, Hewitt, McKnight, Ystaas and Belquist voting "aye". No nay votes. Motion carried.
The preliminary budget was reviewed and discussed. It was noted that the Municipal Infrastructure Fund is not forecasted to fill during the 2023 calendar year 2024, however in the legislative budget forecast there is forecasted funds to be distributed in the 2025 year. Water Works and General - Auditor, are budgeting for additional staff.
Ystaas made a motion to approve the preliminary budget as presented. Hewitt seconded. In a roll call vote, Richter, Hewitt, McKnight, Ystaas and Belquist voting "aye". No nay votes. Motion carried.
Richter began discussion on the upcoming need for lagoon dredging. Richter has been in contract with Daniel Schwartz with Nexus planning and consulting. Schwartz provided Richter with grant options to consider. No action taken.
With no further business, the meeting was adjourned at 8:23 p.m.
The next regular meeting will be September 5, 2023, at 7:00 p.m. at City Hall.
MINUTES ARE SUBJECT TO APPROVAL AT NEXT SCHEDULED CITY COMMISSION MEETING

Stuart Richter,
President
Becki Schumacher,
Auditor
Published August 21, 2023

ABBREVIATED NOTICE OF INTENT TO ADOPT AND AMEND ADMINISTRATIVE RULES RELATING TO EDUCATOR LICENSURE
TAKE NOTICE that the Education Standards and Practices Board will hold a public hearing to address proposed new N.D. Admin Code Chapter 67.1-02-06, related to Student Teachers at
**The Pioneer Room
North Dakota State
Capital
600 E. Boulevard Ave.
Bismarck, ND 58505
Tues., October 3, 2023
10:00 A.M.**
A copy of the proposed rules may be reviewed at the office of the Education Standards and Practices Board, 2718 Gateway Avenue, Suite 204, Bismarck, ND 58503 or obtained by calling the Education Standards and Practices Board (701) 328-9641. Written or oral comments must be received by October 14, 2023, will be fully considered. If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the Education Standards and Practices Board at the above telephone number or address at least 3 days prior to the public hearing.
Dated this 13th day of August 2023
Rebecca S. Pitkin, PhD
Executive Director
Education Standards and Practices Board

ABBREVIATED NOTICE OF INTENT TO AMEND ADMINISTRATIVE RULES RELATING TO N.D. Admin. Code Chapter 111
North Dakota Marriage and Family Therapy Licensure Board
TAKE NOTICE that the North Dakota Marriage and Family Therapy Licensure Board will hold a public hearing to address proposed changes to the N.D. Admin. Code chapter 111 at:
**Ft. Union Room
North Dakota State
Capital
600 Boulevard Ave.
Bismarck, ND 58505
Tues., September 19, 2023
1:00 PM**
Copies of the proposed rules are available for review at North Dakota Marriage and Family Therapy Licensure Board, 2718 Gateway Avenue, Bismarck, ND 58503. Copies of the proposed rules and the regulatory analysis relating to these rules may be requested by telephoning (701) 400-2696. Written or oral data, views, or arguments may be entered at the hearing or sent to: Larry Giese NDMFTLB 327 Buckskin Avenue, Bismarck, ND 58503. Written data, views, or arguments must be received no later than 5:00 p.m. on Friday, September 29, 2023.
ATTENTION PERSONS WITH DISABILITIES: If you plan to attend the hearing and will need special facilities or assistance relating to a disability, please contact the North Dakota Marriage and Family Therapy Licensure Board at the above telephone number or address at least two weeks prior to the hearing.
Dated this 10 day of August 2023.

Farm
PORTABLE ON THE FARM CUSTOM CLEANING
Registered - Certified Conditioning
HESKIN GRAIN CLEANING
INDENT MILL SIEVE MILL
GRAVITY TABLE DESTONER
Equipment for ALL YOUR Upgrading & Cleaning Needs
PEAS • BEANS
SUNFLOWERS
and SMALL GRAINS
CODY HESKIN
19 1st St NE
New Rockford, ND
Cell : 701-302-0653
Business:701-947-5111

MONUMENTS, MARKERS & CEMETERY ENGRAVING
NORTH CENTRAL GRANITE
HWY 2 E, PO. BOX 897
DEVILS LAKE, ND
PHONE 701-662-6170
CALL OR STOP IN TODAY FOR ALL YOUR MEMORIAL NEEDS!

Dakota Recreation Report
by Patricia Stockdill
Outdoor notes:
*N.D. Dept. of Environmental Quality blue-green algae reports: Low toxin levels – Black Tiger Bay (Devils Lake), Benson Co.; Clausen Springs, Barnes Co.; Crystal Springs, Kidder & Stutsman counties; East Stump Lake, Nelson Co.; Heckers Lake, Sheridan Co.; Horsehead Lake, Kidder Co.; Lake Josephine, Kidder Co.; Moon Lake, Barnes Co.; Reule Lake, Stutsman Co.; South Hoffer Lake, Sheridan Co.; Spiritwood Lake, Stutsman Co. Advisory – Alkali Lake, Stutsman Co.; Jamestown Reservoir, Stutsman Co. Warnings: Harvey Dam, Wells Co. Go to the agency website, (deq.nd.gov) for more information and safety precautions.
*Fish don't survive when coming up from 25 feet and deeper and the N.D. Game & Fish Dept. advises anglers keep those fish.
*Aug. 24: Grand Forks Ducks Unlimited event, Grand Forks Alerus Center, 5:30 p.m.
*Sept 1: Dove, archery pronghorn (lottery license holders only), archery deer, and mountain lion seasons open.
Tournaments:
*Aug. 19: Pipestem Reservoir, Parkhurst Landing; Lake Sakakawea, Sakakawea State Park.
*Aug. 26: Spiritwood Lake, main ramp; Woodland Resort.
Fishing:
*Devils Lake elevation, Aug. 15: 1,449.88 feet above mean sea level (MSL).
*Stump Lake elevation: 1,449.9 MSL.
*Lake Sakakawea elevation: 1,842.42 MSL; 22,300 cubic feet per second average (CFS) Garrison Dam daily releases.
*N.D. Game & Fish Dept. Dist. game wardens: No new reports.
*Devils Lake, Ed's Bait Shop, Devils Lake: Look for continued small walleye success.
*Devils Lake, Lakeview Lodge, Minnewaukan: Continued good walleye success but they're mostly on the small side. Work structure in various depths depending on wind and cloud cover.
*Devils Lake, Woodland Resort, Devils Lake: Continued fair to good walleye success in 18 to 25 feet using spinners and bottom bouncers. Also try vertical jigging. Work Pelican Lake or the west side of the Minnewaukan Flats.
*Foster County area lakes, Dry Dock, Carrington: Some angling throughout area lakes but limited reports.
*Jamestown Reservoir, Pioneer Bait & Tackle, Jamestown: Overall less angling activity throughout area lakes.
*Jamestown Reservoir, Sooper Stop, Jamestown: Continued activity on Jamestown Reservoir with anglers using a mix of nightcrawlers and minnows.
*Lake Ashtabula, The Hungry Pelican at the Crossing, Luverne: No new reports.
*Lake Ashtabula, Bayshore, Valley City: Fewer anglers on the lake with limited reports.
*Lake Sakakawea, Cenex Bait & Tackle, Garrison: Work deep on the east end of Lake Sakakawea for walleye although occasionally a few fish are showing up shallow in the evening. No reports from Lake Audubon.
*Lake Sakakawea, Indian Hills Resort, Garrison: Some walleye starting to move into a little shallower water. Try 20 to 25 feet using jigging Raps or nightcrawlers. Also try crankbaits working deeper water. Work along the south shore from McKenzie Bay to Independence Point.
*Lakes Audubon and Sakakawea, Hwy. 83 Lawn & Leisure, Garrison: Continue working 30 to 40 feet on Lake Sakakawea using jigging Raps or slow death hooks with nightcrawlers working from Douglas to Berthold bays along the north shore. Try chasing muskie on Lake Audubon but all muskie less than 48 inches must be released. Move around in deep water to locate muskie and fish suspended.
*Lake Sakakawea/Lake Audubon/Missouri River, Scott's Bait and Tackle, Pick City: Missouri River tailrace remains slow from boats with occasional success at best during the day. Try the spillway channel but walleye are small. Some catfish from the wing walls but river is slow. Try using crushed smelt or small minnows. A few walleye taken at night from shore or from boats working the chutes. Lake Sakakawea fair for walleye on the east end with best success in 40 to 50 feet. Keep those fish when taken from deep water, however. A few coming from 20 to 22 feet but not many. Better success with slow death hooks in deeper water. Try 85 feet over deeper water with flashers and squids for salmon on the east end of Lake Sakakawea. Basically work within 10 feet of the thermocline.
*Lonetree WMA area lakes, Harvey: Area lakes slow with several now weedy.

N.D. river flows:
*James River, Kensal: River stage, 1.31 feet; streamflow, 7.22 CFS.
*Pipestem Creek, Pingree: Creek elevation, 5.35 feet; streamflow, 37.1 CFS.
*Red River, Grand Forks: River stage, 16.26 feet; streamflow, 1,950 CFS.
*Sheyenne River, Warwick: River stage, 3.78 feet; streamflow, 225 CFS.

Numbers to know:
*N.D. Game and Fish Department, main Bismarck office: (701) 328-6300, website: (http://gf.nd.gov).
*N.D. Game and Fish Department, Devils Lake office: (701) 662-3617.
*N.D. Game & Fish Department, Jamestown office: (701) 253-6480.
*Report All Poachers: (701) 328-9921.

Housing
Great Plains Housing Authority
has Section 8 Rental Assistance and Rent Help assistance available.
Please contact GPHA at 701-252-1098 or apply online at greatplainsha.com

Text-A-Tip Line
(701) 341-0534
The text-a-tip line provides Eddy County residents an opportunity to anonymously pass information on to the sheriff's department.
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Dakota Recreation Report

by Patricia Stockdill



Outdoor notes:
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