

## COMMISSION

CONTINUED from A1

Resource District addressing their concerns for the project.

The letter from the Stutsman County Commission says Stutsman County has been committed to involving Kidder County in the feasibility study discussions and continued that process through a steering committee that includes members from both counties.

Stutsman County's letter says the Kidder County Commission and Water Resource District did not define the water issues that will be created for Kidder County residents.

"... however, several items were identified and discussed during the scoping process and work on the feasibility study," Stutman County Commission's letter says. "The final report when completed will document these findings and conclusions regarding the

impact evaluation. One primary concern was the ability to accommodate project discharges in the downstream conveyance system in Kidder County, which is a natural watercourse, that flows into and through Lake Etta, then into Long Lake Refuge and Long Lake Creek in Burleigh County."

Stutsman County's letter says the proposed pump system and 83,000-foot water transmission line will be a buried pipeline system. The installation of the pipeline system will require land-owner easements that will be acquired by appraisal and negotiated compensation.

Stutsman County's letter says the feasibility study indicates there will be limited impacts along the route with implementing the following mitigation measures:

- Cleaning the existing watercourse as necessary to restore the land to its natural functionality and improved to accommodate the projected water

releases from the project.

- Making sure the existing stream's roadway crossings comply with the North Dakota Stream Crossings Standards with the addition of water discharges from the project.
- Operating and maintaining the water pipeline system at the project's expense along the acquired easements.
- Providing benefits above existing conditions at no cost to property owners or Kidder County residents.
- Ensuring the only properties impacted by project construction and water releases are located along the primary route.

In other business, the county commission unanimously approved excess mill levies for three townships to pay outstanding balances to the Stutsman County Road Department.

Jessica Alonge, Stutsman County auditor/chief operating officer, said three townships — Jim River Valley, Sharlow and Weld — still have

balances due after one year for work completed in 2024.

In the past, the county commission has approved imposing excess mill levies for townships that have outstanding balances after one year, Alonge said.

Eldridge Township also has an outstanding balance due but submitted a 2026 budget with 36 mills. Alonge said the county cannot impose an excess mill levy unless a budget is submitted for less than 36 mills.

Taylor said the county needs to look at implementing some type of interest that can be added onto outstanding balances.

"I don't feel that Stutsman County and taxpayers should be bankrolling townships that want to ride a balance due especially when they are at 18 mills," he said. "If they have an issue with funding then they need to up their mills and they need to be able to pay their bills."

### Park board approves recommendations for permit

The Stutsman County Park Board unanimously approved recommendations for a permit to operate Spiritwood Resort.

The annual permit fee previously was \$1 per year.

The \$10,000 annual fee for the permit will be waived for the first 36 months of operation. Following the 36-month period, the annual permit fee may be waived or reduced by infrastructure upgrades made by the permittee, according to the permit.

"The language that we have in our permit also gives us the power and the authority to vacate the permittee if they are not doing their due diligence, if they are not actively in the bank's case seeking another permit holder ...," Taylor said. "I feel we have concessions in there that still protects us and allows us to be in control of what's going on."

Rob and Leah Brooks plan to purchase Spiritwood Resort. They previously requested a 25-year permit through Bruxz Enterprises LLC for Spiritwood Resort.

"We are excited to go forward and I just appreciate all your work on this," Rob Brooks said, referring to the permit and consent to collateral assignment of permit agreement.

Stutsman County State's Attorney Fritz Fremgen previously said language in the agreement would transfer the permit to the bank. He said the language says the bank would control the place but not have any obligation, duty or liability under the permit.

Fremgen said a revised draft of the consent to collateral assignment of permit agreement has been sent to the American State Bank of Grygla.

"We are moving ahead," he said.

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## MOEN

CONTINUED from A3

agreed to allow two of the couple's children to testify by video from outside the courtroom after hearing from two therapists who said testimony in the same courtroom as their father could be detrimental to them.

Gereszek said the children testified that they were not afraid of their father and they still loved

him.

He added the case law that has set a precedent to allow remote testimony in special circumstances has been based on when the witnesses were also victims in the case. He noted that prosecutors say Moen beat his wife, then left her in a bathtub to die, but the children did not see the actual physical violence.

Chief Justice Jon J. Jensen said the psychologists presented evidence that

the children would likely shut down and also be retraumatized if they testified before their father.

Justice Lisa Fair McEvers pointed out that Moen's trial attorney, Richard Varriano, did not request to have the children present at either of the two motion hearings held in August 2024, after which the judge made his decision to allow the remote testimony, and that no rule requires a judge to do so during a

motion hearing.

"There's no obligation of the district court to do what you claim should have been done," McEvers said.

Cass County Prosecutor Renata Olafson Selzer said the prosecution office "agonized" over the decision to call the children to testify at all.

"Tragically, the 5-year-old twins witnessed portions of the events that happened in this case," she said Tuesday. "They

were the only eyewitnesses that night."

Selzer said the gravity and the "unbelievable trauma" the children witnessed were the very reasons prosecutors asked that the children testify by Zoom to avoid retraumatizing the children.

The two attorneys had 50 minutes to state their cases during the oral argument. The five justices made no rulings during the oral argument. Instead, they will take the

case under advisement and will issue an opinion, usually within a few weeks.

Per North Dakota Century Code, closed-circuit video testimony from a minor witness can be used if the court finds that having the child testify in front of the defendant would cause "serious emotional distress or trauma that would impact the ability of the witness to reasonably communicate."

As good as gone!

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## GARAGE SALES

### PUBLIC/GARAGE SALES

A Huge Rummage sale starting Friday, Sept. 19th at 2:00 PM and Saturday, Sept. 20th from 9:00 AM to 5:00 PM. A large selection of collectibles and antiques, many tools, toys, old pictures and paintings, household and kitchen items, furniture, kid's bike, women, men's and kid's clothing, shoes, misc. items and decor. 224 8th Ave SE, Jamestown, ND

### HELP WANTED AGRICULTURE

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Resume can be sent to Farmers Union, PO Box 97, Pettibone, MN 58475. Inquires may be directed to Farmers Union Board Chairman, Hoyt Wagner **701-650-1237** [hoytwagner@yahoo.com](mailto:hoytwagner@yahoo.com)

### AGRICULTURE MISCELLANEOUS

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### DOGS



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### FARM EQUIPMENT

**For Sale:** Silage dump wagon, unused for 5 years, \$3,000; JD 18ft flex head & 20ft flex head, unused for 10 years, make offer. 701-361-6378 (leave msg) Barnesville, MN.

### HARVEST EQUIPMENT

Westfield MKX 130-94 Auger w/ hydraulic spring hopper. Purchased new. Asking \$14,000. Aberdeen, SD. 605-228-1393

### SEEDS/FEEDS/HAY



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Mandan, ND  
Dennis: 701-226-2277  
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### TRACTORS

**RETIREMENT SALE**  
1995 Ford NH 9480 tractor with 7,450 hours, 855 Cummins engine, 20.8-42 tires, 12-spd trans, 4-hyd. with return line. Good condition. \$26,000. Hamilton, ND. 701-520-1251.



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Friday 2pm for Tuesday  
Friday 5pm for Wednesday

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**Notice of Initiation of the Section 106 Process: Public Participation**  
Allo Towers proposes the construction of a self-support style telecommunications tower within a 60' x 60' compound approximately 0.44 miles east-southeast of 33 rd St. SE & Hwy. 281 SE, Jamestown, Stutsman County, ND. The height of the tower will be 36.9-meters above ground level (121-feet above ground level) and 38.4 meters above ground level including appurtenances (126-feet above ground level with appurtenances). Proposed project will include ground disturbance. Members of the public interested in submitting comments on the possible effects on historic properties included in or eligible for inclusion in the National Register of Historic Places may send their comments to Andrew Smith, RESCOM Environmental Corp., PO Box 361 Petoskey, MI 49770 or call 260-385-6999. (Sep. 18, 2025)

Notice of Special Meeting  
City of Medina  
September 22 @ 7 PM  
Medina City Hall.  
Agenda:  
Open Bids for a Cub Cadet Garden Tractor with a sweeper  
Ordinance Readings  
Financial/Accounting Reports with CPA  
(Sep. 18, 2025)

Notice of Special Meeting  
City of Medina  
September 22 @ 7 PM  
Medina City Hall.  
Agenda:  
Change Order Approval for Water Treatment Plant  
(Sep. 18, 2025)



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### PUBLIC NOTICE

STATE OF NORTH DAKOTA COUNTY OF STUTSMAN  
IN DISTRICT COURT  
SOUTHEAST JUDICIAL DISTRICT  
City of Jamestown,  
Plaintiff,  
-vs-  
Jane Boyke and James Boyke,  
Defendants.  
Case No. 47-2025-CV-00401

### Summons

THE STATE OF NORTH DAKOTA TO THE ABOVE-NAMED DEFENDANT:

[1] YOU ARE HEREBY SUMMONED and required to appear and defend against the Complaint in this action, which is herewith served upon you, by serving upon the undersigned an Answer or other proper response within twenty-one (21) days after the service of this Summons and the Complaint upon you, exclusive of the day of service.  
[2] The Defendants, Jane Boyke and James Boyke, are the owners of real property situated

## SUDOKU

DIFFICULTY RATING: ☆☆☆☆☆

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9/18

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HOW TO PLAY:

Each row, column and set of 3-by-3 boxes must contain the numbers 1 through 9 without repetition.