In answer to questions by City Commissioners, the development agreement will specify that the internal and external improvements to the public right-of-way will be the responsibility of the developer, the new PUD application can be approved based on the consent received by the primary owners to apply, and the title items still need to be satisfied before the final plat. City Attorney Evert feels comfortable receiving this application as presented after getting the consent of two of the primary land owners. To clear the title, a Quiet Title is an option, but timing is an issue, so Quit Claim Deeds from the owners are being prepared with 701 Title, which will provide authority to sign on behalf of the contractual property owners. It is suggested that the oil and gas leases on the property north of 84th Street be discussed with the potential owners. There are mandatory state setback standards that would require compliance and the North Dakota Industrial Commission should also be made aware of the project and development. As for noise, there are options identified for mitigation if the levels don't meet the noise study. A study has to be done prior to the project being operational to make sure that mitigation is feasible and is in place to ensure that the noise levels can be met at the surrounding sites. In addition, after the first year of operation, in the summer time under full load with air conditioning, a followup study has to be done to measure the noise levels to confirm they are within the limits. Testing can only be between 7:00am - 7:00pm. The development agreement will come with the final plat.

Motion by Bervig, seconded by Cymbaluk to approve 1) the preliminary plat for Northstar Rearrangement #1 as conditioned including recordation of the final plat for the properties located southwest of the intersection of US 2 and US 85 Bypass, northwest of the intersection of US 2 and 84th Street West; 2) the amendment of the future land use designation to commercial for Lots 1, 2, and 3 of the Northstar Center Subdivision Rearrangement #1 including recordation of the final plat for the properties located southwest of the intersection of US 2 and US 85 Bypass, northwest of the intersection of US 2 and 84th Street West; 3) the Transportation Plan amendments, including the revisions to the 2040 Functional Classification Network including recordation of the final plat for the properties located southwest of the intersection of US 2 and US 85 Bypass, northwest of the intersection of US 2 and 84th Street West; and 4) the Planned Unit Development for Northstar Center Rearrangement #1; the rezoning of Lot 1 to A, Agricultural District; and the rezoning of Lots 2 and 3 to C-2, General Commercial District as conditioned including recordation of the final plat for the properties located southwest of the intersection of US 2 and US 85 Bypass, northwest of the intersection of US 2 and 84th Street West. This includes the amendment to the landscaping standards as requested by the Planning and Zoning Commission and detailed in this memorandum.

AYE: Cymbaluk, Bekkedahl, Siemieniewski, Bervig, Klug

NAY:

ABSENT AND NOT VOTING:

CARRIES: 5-0

Bid Openings

Kenny Bergstrom, Public Works Director, presented the following:

2025 Underground Wire Replacement Project (Street Lights) Three bids were received with the low bidder being On Point Electrical Services at \$394,955. To stay within the

approved budget of \$225,000, the recommendation is to award the project to On Point Electrical Services for Areas 1 and 5 for \$163,008. Motion by Cymbaluk, seconded by Bervig, to award the 2025 Underground Wire Replacement Project, General Conditions, Area 1 and Area 5 to On Point Electrical Services LLC of Williston, ND in the

amount of \$163,008 as presented. AYE: Cymbaluk, Bekkedahl, Siemieniewski, Bervig, Klug

NAY: ABSENT AND NOT VOTING:

CARRIES: 5-0

- Ordinances
- Petitions, Communications, and Remonstrances 6.
- Report of Commissioners President of the Board
  - A.
  - Finance Commissioner B.
  - C. Airport, Engineering, and Public Works Commissioner D. Ambulance, Fire, and Police Commissione
  - E.
- Development Services, Economic Development, and Library Commissioner
- 8. Report of Departments
  - Administration Finance
  - B.
  - Attorney C.

Jordon Evert, City Attorney, presented the following:

Ordinance 1161 - Amendment to Animal Penalties (First Reading) This ordinance amends the penalty for the majority of animal-related offenses to an infraction. These are for

lower-level offenses where jail time is never requested Ordinance 1162 - Amendment to Building Code Penalty (First Reading)

This ordinance amends the penalty for junk ordinance violations to an infraction with a maximum fine of

3) SRO Agreement for 2025-2026 School Year

This is an agreement for SRO services with the school district, looking ahead to the 2025/2026 school year.

Ordinance 1163 - Wildlife Management Program (First Reading)

This ordinance adds an exception to the existing ordinance prohibiting the discharge of firearms in city limits. It will permit the discharge of firearms for the airport only to comply with FAA requirements. This is restricted to XWA employees only.

Ordinance 1164 – 48 Hour Parking (First Reading)

This ordinance amends the language for parking a vehicle for a period of 48 hours, mandating that a vehicle must move one city block, or six hundred (600) feet, whichever is less. The prevents vehicles from moving just

It was clarified that the SRO agreement will maintain responsibilities at 75% / 25%, and only XWA employees will be permitted to discharge firearms on airport property.

Motion by Cymbaluk, seconded by Siemieniewski, to approve the first reading of Ordinances 1161,

1162, 1163, and 1164 as presented. AYE: Cymbaluk, Bekkedahl, Siemieniewski, Bervig, Klug

NAY: ABSENT AND NOT VOTING:

CARRIES: 5-0

Motion by Cymbaluk, seconded by Siemieniewski, to approve the SRO agreement for the 2025/2026 school year as presented.

AYE: Cymbaluk, Bekkedahl, Siemieniewski, Bervig, Klug

NAY:

ABSENT AND NOT VOTING:

CARRIES: 5-0

- D. Public Works Engineering
- F. Fire Department G.
- Police Department
- H. Development Services

Kent Jarcik, City Planner, presented the following:

Review of A Proposed Major Subdivision, a Rearrangement of Lots 1-13, Block 2 of the 1) Bennett Industrial Park Third Addition Subdivision, and Lot 2R, a Rearrangement of Lot 20, Block 2, Bennett Industrial Park Third Addition, T154N, R101W - Corner Post LLC This is an application to create the Corner Post Addition and the creation of right-of-way for Jackson Street

This area is within the city's Extra Territorial Jurisdiction (ETJ). Phase I of the Corner Post truck stop will include a convenience store/restaurant, truck parking, fueling stations, and a car wash. This phase will also include the construction and completion of James Drive and a portion of Jackson Street to a concrete surface, rough grading of the remainder of Jackson Street, including drainage ditches, and the extension of an 8" water line to tie into the Northwest Rural Water system and create fire flow and service. Phase II will complete James Drive and Jackson Street. The project is outside the city and will have an approved septic system. There will be a second round of commission reviews for the final plat, the road design for James Drive needs to be approved by Williston Township before the final plat review, and the final plat with CCRs needs to be submitted 21 days prior to the Planning and Zoning Commission meeting.

Motion by Cymbaluk, seconded by Siemieniewski, to approve the subdivision plat for the Corner Post Addition, located in the NW1/4 corner of Section 19, T154N, R101W, as presented and conditioned. AYE: Cymbaluk, Bekkedahl, Siemieniewski, Bervig, Klug

ABSENT AND NOT VOTING: CARRIES: 5-0

Economic Development

Anna Nelson, Economic Development Executive Director, presented the following:

Flex PACE Applications The Corn Dog Company

Highline Cleaning Services b.

JCR Excavating

There are three Flex PACE applications including: 1) The Corn Dog Company for build outs of property not to exceed \$20,000; 2) Highline Cleaning Services for the purchase of property for use as retail space not to exceed \$16,900; and 3) JCR Excavating for the purchase of property not to exceed \$63,000.

JCR Excavating is in the city ETJ; therefore, the city will take on the project. When projects are partially or fully outside of the ETJ, Williams County can and has assisted.

Motion by Cymbaluk, seconded by Siemieniewski, to approve the Flex PACE applications as presented. AYE: Cymbaluk, Bekkedahl, Siemieniewski, Bervig, Klug

ABSENT AND NOT VOTING: CARRIES: 5-0

Community Grant Applications 2)

- Williston Military Affairs Committee

The Community Grant applications include: 1) request for \$10,000 from the Williston Military Affairs Committee for their Patriot Gate project at Hillside Cemetery; and 2) request for \$5,000 from Trinity Christian School for assistance with the purchase of a new digital display sign.

Motion by Bervig, seconded by Siemieniewski, to approve both Community Grant applications as

AYE: Cymbaluk, Bekkedahl, Siemieniewski, Bervig, Klug

ABSENT AND NOT VOTING:

CARRIES: 5-0

Anthony Dudas, Airport Director, presented the following:

Air Service Agreement - Sun Country Airlines

This is a proposed air service agreement to bring Sun Country Airlines back to Williston for seasonal flights to Las Vegas. To support this service, a Minimum Revenue Guarantee (MRG) of \$517,3000, an increase of \$150,000 from 2024, is proposed. The MRG is a partnership between the City and Sun Country to ensure minimum revenue for continued operations. This service aligns with the commission-approved air service development program, reinforcing the commitment to enhancing quality of life, expanding travel options, and supporting workforce attraction and retention in the Williston area.

Motion by Cymbaluk, seconded by Bervig, to approve the air service agreement with Sun County Airlines in the amount not to exceed \$517,130.

AYE: Cymbaluk, Bekkedahl, Siemieniewski, Bervig, Klug

NAY:

ABSENT AND NOT VOTING: CARRIES: 5-0

Customs & Border Protection Cost Sign-Off Authorization

US Customs and Border Protection (CBP) operates a General Aviation Facility (GAF) at XWA, allowing international aircraft to enter the United States through XWA. These operations require XWA to provide and maintain suitable facilities, including essential IT equipment, which GAF is estimating to cost \$24,883. XWA sees approximately 450 international flights from across the world, with the vast majority being from Canada.

Motion by Cymbaluk, seconded by Siemieniewski, to authorize and execute the necessary documents to proceed with this mandated equipment replacement, ensuring continued compliance with our agreement and uninterrupted CBP operations at XWA.

AYE: Cymbaluk, Bekkedahl, Siemieniewski, Bervig, Klug NAY:

ABSENT AND NOT VOTING:

CARRIES: 5-0

Multi-Function Snow Removal Equipment Procurement – Burns & McDonnell Task Order 11 This is a task order with Burns & McDonnell to assist in managing the grant funding for the procurement of multi-function snow removal equipment. The FAA provides entitlement grant funding, which covers 95%; it is anticipated that the ND Aeronautics Commission will cover 2.5%, and the City will cover 2.5% of the remaining cost for both the professional services and the equipment. FAA grants typically reimburse at a 90% cost-share but have authorization to reimburse at 95% for the next two years. This machine will replace a piece of equipment from 2012 and as part of the federal requirements to maintain the fleet, the existing machine will be traded or donated. The federal procurement process requires a fee analysis to be performed on professional services, which found the proposed fee, billed hourly and not to exceed \$31,450, reasonable and has been agreed upon by the FAA and the State of ND. XWA receives an entitlement grant of approximately \$1.2M annually for infrastructure and capital equipment items, which will cover the estimated \$1M cost of the snow plow.

Motion by Bervig, seconded by Cymbaluk, to approve the Burns & McDonnell professional services agreement to procure a multi-function snow removal machine in the amount, hourly not to exceed,

AYE: Cymbaluk, Bekkedahl, Siemieniewski, Bervig, Klug NAY:

ABSENT AND NOT VOTING:

CARRIES: 5-0

K. Convention and Visitor's Bureau

Appointments and Consultations with Officers

**Unfinished Business** 11. New Business

Executive Session Attorney Consultation (Exempt Under NDCC 44-04-19.1)

It is now 7:24pm and the next item on the agenda is consideration to adjourn into executive session for the purpose of Attorney Consultation. Under NDCC 44-04-17.1, 44-04-19.1, 44-04-19.2, and 44-04-18.4, the Commission may consult with each other in an executive session that is closed to the public. Is there a motion to discuss this topic in executive session?

Motion by Cymbaluk, seconded by Siemieniewski to adjourn into Executive Session.

The motion has passed and under the Century Code provisions previously identified, the Commission will now adjourn into executive session for an attorney consultation.

The executive session was adjourned at 8:43pm on March 25, 2025. The Commission has returned to the meeting room and the Commission is now back in open session.

One motion, Motion #1, was made during the executive session.

Motion #1 AYE: Cymbaluk, Bekkedahl, Bervig, Klug

NAY: None ABSTAIN: Siemieniewski

ABSENT AND NOT VOTING: CARRIES: 4-0 Correction, the executive session adjourned at 8:14pm

Adjournment at 8:22pm.

Motion by Bervig, seconded by Cymbaluk, to adjourn. UNANIMOUS BY VOICE VOTE

**Public Notice** NOTICE TO CREDITORS IN THE DISTRICT COURT OF WILLIAMS COUNTY, STATE OF NORTH DAKOTA IN THE MATTER OF THE ESTATE OF LARRY FORTHUN A/K/A LAR-RY J. FORTHUN A/K/A LARRY JU-LIUS FORTHUN, DECEASED

Probate No. 53-2025-PR-00111 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 of this notice or said claims will be forever barred. Claims must either be presented to the Estate of Larry Forthun a/k/a Larry J. Forthun a/k/a Larry Julius Forthun, c/o McKennett Forsberg, P.C., at P.O. Box 1366, Williston, ND 58802-1366, or filed with the Court. Dated this 7th day of April, 2025. s-TERESA FORTHUN

Personal Representative 304 - 9th Avenue W Williston, ND 58801 Laurel J. Forsberg, #04373 Laurie@mckennettlaw.com McKennett Forsberg, P.C. 314 First Avenue East P.O. Box 1366 Williston, North Dakota 58802-1366 (701) 577-6771 Attorney for the Personal Representative Date: April 12, 19, 26, 2025

Teresa Forthun.

#### Notice of Hearing Taylor D. Olson

WHM002372

Furuseth Olson & Evert. PC PO Box 417 - 107 Main Street Williston ND 58802-0417 (701) 774-0005 ID No. 06963 tavlor@furusethlaw.com Attorney for the Personal Representative

Probate No. 53-2025-PR-00124

#### IN THE DISTRICT COURT OF WILLIAMS COUNTY, STATE OF **NORTH DAKOTA**

In the Matter of the Estate of Hilbert W. Pickel Deceased

# NOTICE OF HEARING

1. NOTICE IS HEREBY GIVEN that E. Jenni Pickel has filed herein an Application for Formal Probate of Will and Appointment of Personal Representative, a copy of which is on file in the office of the Clerk of Williams County District Court, PO Box 2047, Williston, ND 58802. 2. Hearing has been set upon said Application on 12th day of May, 2025 at 8:00 a.m., at the Courtroom of the above-named Court in the city of Williston, in the County of Williams. State of North Dakota. with the Honorable Judge Rustad presidina

Dated this 8 day of April, 2025. Furuseth Olson & Evert. PC /s/ Taylor D. Olson Taylor D. Olson (#6963) PO Box 417 107 Main Street Williston ND 58802-0417 (701) 774-0005 taylor@furusethlaw.com Date: April 12, 19, 26, 2025 WHM002381

#### Zone Change\_Bakken Industrial Park Sub R-4 to M-1 PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that the Planning & Zoning Commission of the City of Williston, North Dakota, schedules a public hearing on Monday, April 21st, 2025 at 5:30 PM C.T. in the Commission room of City Hall located at 22 E Broadway, Williston, to consider a zone change from R-4 Highrise Multifamily to M-1: Light Industrial for Lot 5

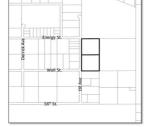
& 6, Block 3, Bakken Industrial Park

Subdivision, approximately 18.84 acres, located east of Oil Ave & south of Energy St.

This hearing will also be held via GoTo Meeting, https://meet.goto. com/284663229 . You can also dial in using your phone +1 (872) 240-3311 . Access Code: 284-663-229on the 21st of April 2025 at 5:30 p.m. Central Time, at which time any interested person or persons may appear and make protests or objections to the zone change of the lots

# **LOCATION AREA**

described herein.



Maps of said properties will be available to the public for inspection and copying from Monday through Friday, 8 AM to 5 PM, in the office of the Planning and Zoning Department located at 113 4th Street E (second floor).

If you plan to attend the hearing and will need special facilities or assistance relating to a disability, contact City Hall at 701-577-8104 or through the TDD State Relay at 711.

BY ORDER OF THE WILLISTON PLANNING & ZONING COMMIS-

Kent Jarcik

Planning & Zoning Director Date: April 12, 19, 2025 WHM002376

TYRONE TOWNSHIP Tax Equalization Meeting April 29, 2025 at 7:30 p.m.

**Notice to Creditors** 

Olson & Burns P.C.

Attorneys for the

Personal Repre-

WILLIAMS

Home of Ron Sylte 13796 64th St. NW, Williston, ND Date: April 19 2025 WHM002395

Richard P. Olson (ID 3 03183)

P. O. Box 1180 Minot. ND 58702-1180 (701) 839-1740

00110 sentative STATE OF IN DISTRICT NORTH DAKOTA COURT COUNTY OF NORTHWEST

Probate No.

JUDICIAL

53-2025-PR-

#### DISTRICT In the Matter of the Estate of Timothy Cook, Deceased

**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 of this Notice or said claims will be forever barred. Claims must either be presented to Judith Duerre, Personal Representative of the Estate of Timothy Cook, c/o Olson & Burns P.C., P. O. Box 1180, Minot, ND 58702-1180, or filed with the Court. Dated this 3rd day of April, 2025.

/s/ Judith Duerre Judith Duerre, Personal Representative Richard P. Olson (ID # 03183) OLSON & BURNS P.C. P. O. Box 1180

Attorneys for Personal Represen-

Minot, ND 58702-1180

tative

First publication on the 12th day of April. 2025 Date: April 12 19 26 2025 WHM002387

Notice of Hearing Jordon J. Evert Furuseth Olson & Evert. PC PO Box 417 - 107 Main Street Williston ND 58802-0417

tative

(701) 774-0005 ID No. 06969 iordon@furusethlaw.com Attorney for the Personal Represen-

Probate No. 53-2025-PR-00071

IN THE DISTRICT COURT OF WILLIAMS COUNTY, STATE OF **NORTH DAKOTA** 

In the Matter of the Estate of S. M. Shows, a/k/a Stephen Morris Shows . Deceased.

# AMENDED NOTICE OF HEARING

¶1. NOTICE IS HEREBY GIVEN that Mary K. Turpin has filed herein an Application for Formal Probate of Will and Appointment of Personal Representative, a copy of which is on file in the office of the Clerk of Williams County District Court, PO Box 2047. Williston. ND 58802. ¶2. Hearing has been set upon said Application on 19th day of May. 2025 at 8:00 a.m., at the Courtroom of the above-named Court in the city of Williston, in the County of Williams. State of North Dakota. with the Honorable Judge Johnson presiding. Dated this 8 day of April, 2025.

Furuseth Olson & Evert. PC /s/ Jordon J. Evert Jordon J. Evert (#6969) PO Box 417 107 Main Street Williston ND 58802-0417 (701) 774-0005 jordon@furusethlaw.com

Date: April 12, 19, 26, 2025 WHM002380

# **Notice to Creditors**

IN THE DISTRICT COURT OF WILLIAMS COUNTY, STATE OF NORTH DAKOTA

Probate No. 53-2024-PR-00281

In the Matter of the Estate of Patricia Lvnn Eide. Deceased. NOTICE IS HEREBY GIVEN that

the undersigned has been appointed Personal Representative of the Estate of Patricia Lvnn Eide. All persons having claims against the Estate are required to present their claims within three (3) months after the date of the first publication of this notice or the claims will be forever barred.

Claims must be presented in writing to the Personal Representative at the address listed below or filed with the Court.

Personal Representative of the Estate of Patricia Lvnn Eide 7775 200th Street East Hastings, MN 55033

Trevor Allen Quigley

Dated this 11th day of April, 2025. Date: April 19, 26, May 3, 2025 WHM002392