

Attorney general: JMHCC did not violate open meetings law

By Luann Dart
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North Dakota Attorney General Drew Wrigley has issued an opinion that Jacobson Memorial Hospital Care Center (JMHCC) did not violate open meetings laws by refusing public access to meetings unrelated to public funds.

Alan Lindemann, a former employee of JMHCC, requested an opinion from the office of the attorney general asking whether JMHCC is a “public entity” subject to the open meetings laws and whether JMHCC violated the open meetings laws by refusing public access to its May 31, 2022, and June 28, 2022, meetings.

On Sept. 10, the attorney general issued an opinion stating JMHCC is a “public entity” subject to open meetings laws only to the extent it

is supported by or expends public funds. The opinion also states JMHCC did not violate open meetings laws by refusing public access to those meetings, because the meetings did not relate to public funds.

The opinion states Lindemann wished to attend the May 31, 2022, and June 28, 2022, JMHCC board meetings. Lindemann appeared at the May 31, 2022, meeting and addressed the board “for the first 5-10 minutes to state a small message regarding the hospital,” but was not allowed to attend the full meeting. Lindemann, who was not employed by JMHCC at the time, complains he was “escorted out or told to leave the meeting” by JMHCC’s chief executive officer at the time.

In his analysis, Wrigley states the definition of a “public entity” subject to open

records and open meetings laws includes “(o)rganizations or agencies supported in whole or in part by public funds, or expending public funds.”

The analysis includes definitions of public funds. Payments from Medicare, Medicaid and private health insurance companies are not public funds, Wrigley states. However, grants from the city’s sales tax funds are considered public funds.

“It is my opinion that JMHCC is a ‘public entity’ subject to the open records and meetings laws to the extent it is supported by and expends the city’s sales tax funds. Records and meetings related to such funds and their uses are open unless otherwise protected by law,” Wrigley states.

The portion of a meeting which does not involve public business

is not required to be open to the public, the opinion states.

“While JMHCC is a ‘public entity’ and is subject to the open meetings law regarding the use of the sales tax proceeds received from the city, only the portions of the meetings concerning the use of

those funds are subject to the open meeting laws,” Wrigley states.

“My office has reviewed the meeting minutes from the May 31, 2022, and June 28, 2022, meetings, and based on the minutes, the board did not discuss the approval or

expenditure of those public funds during the meetings,” he states, indicating JMHCC’s board did not violate the open meetings law when it prohibited Lindemann or others from attending its May 31, 2022, and June 28, 2022, meetings.

PUBLIC Notice

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State Bar ID No. 03610

Probate No.
43-2025-PR-00006

IN THE DISTRICT COURT OF
SIOUX COUNTY,
SOUTH CENTRAL JUDICIAL
DISTRICT, STATE OF NORTH
DAKOTA

In the Matter of the Estate of
Kelly Froelich, 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 or mailing of this notice or said claims will be forever barred. Claims must either be presented to Renee Froelich, personal representative of the estate at P.O. Box 1266, Mandan, North Dakota 58554-7266 or filed with the Court.

Dated this 9th day of October
2025

/s/Renee Froelich
Personal Representative
Published 10/16 - 10/30, 2025

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ND Game and Fish Department
100 N Bismarck Expressway
Bismarck, ND
Wed., Nov. 19, 2025
11:00 a.m.

The proposed rules are available on the Department’s website at <http://gf.nd.gov/> or a copy may be obtained by calling the Department at 701-328-6300. Also, written comments may be submitted to the above address through Nov. 30, 2025. If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the Department at the above phone number or address at least seven days prior to the public hearing.

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Jeb Williams
Director

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tfn

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C V I G G L J E D I M B I Y Q V A Q O Z
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C S A T E F M A O L I V E O I L J R S D
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I Q A L I N G U I N E J E R K R O F S N

Word List:

ALFREDO	GARLIC	PARMESAN	SEMOLINA
ANGEL HAIR	LASAGNA	PASTA	SPAGHETTI
COLANDER	LINGUINE	PENNE	TASTE
DELICIOUS	MACARONI	POT	TOMATOES
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