

FORMAN, NORTH DAKOTA
OCTOBER 15TH, 1965

THE BOARD OF COUNTY COMMISSIONERS MET, PURSUANT TO ADJOURNMENT, WITH ALL MEMBERS PRESENT.

ED BARTA, MILTON GILBERTSON, CLYDE LARSON AND A. T. BAKKEGARD, MEMBERS OF THE SARGENT COUNTY COMMUNITY ACTION COMMITTEE MET WITH THE COMMISSIONERS TO ORGANIZE THE ECONOMIC OPPORTUNITY PROGRAM IN SARGENT COUNTY.

COMMISSIONER DEWEY MOVED THAT THE FOLLOWING SALE OF COUNTY TAX DEED PROPERTY BE APPROVED AND DEED ISSUED TO PURCHASER: LOTS 13 & 14, BLOCK 12, 1ST ADDITION, CITY OF FORMAN TO HILBERT B. AND JOYCE L. PFEIFER, FORMAN, NORTH DAKOTA.

COMMISSIONER BRUNS SECONDED THE MOTION AND SAME CARRIED.

THE BOARD PROCEEDED TO APPRAISE CITY AND VILLAGE LOTS WHICH HAD BEEN FORFEITED TO THE COUNTY FOR NON-PAYMENT OF TAXES, AND ON MOTION SAID APPRAISALS WERE APPROVED IN THE AMOUNTS SHOWN ON A LIST, WHICH WILL BE POSTED IN FRONT OF THE COURTHOUSE NOVEMBER 2ND, 1965 ACCORDING TO LAW AND THE TIME OF HEARING OBJECTIONS TO THE MINIMUM SALES PRICE AGREED UPON WAS SET AT 10 O'CLOCK A.M. NOVEMBER 2ND, 1965.

COMMISSIONER HOFLEN MOVED THAT THE BOARD ADJOURN TO 9 O'CLOCK A.M. NOVEMBER 2ND, 1965.
COMMISSIONER DEWEY SECONDED THE MOTION AND SAME CARRIED.

Palmer Enge
PALMER ENGE - CHAIRMAN

ATTEST:

Ralph Seavert
RALPH SEAVERT - COUNTY AUDITOR

FORMAN, NORTH DAKOTA
OCTOBER 29TH, 1965

THE BOARD OF COUNTY COMMISSIONERS MET, IN SPECIAL SESSION AT 8:00 P.M. WITH ALL MEMBERS PRESENT.

ROBERT CASE, MILTON BERGSJOE, WM BOSSE AND OLE BREUM REPRESENTING THE SARGENT COUNTY WATER MANAGEMENT BOARD AND CARL MALSTROM AND ROY GLARUM REPRESENTING THE TEWAUKON TOWNSHIP BOARD OF SUPERVISORS MET WITH THE BOARD AND REQUESTED THAT THE COUNTY SHARE IN BUILDING A ROAD AT THE GAP DAM SITE IN TEWAUKON TOWNSHIP.

COMMISSIONER SMITH MOVED THAT THE COUNTY PAY \$200.00 TOWARDS BUILDING THE ABOVE MENTIONED ROAD.
COMMISSIONER BRUNS SECONDED THE MOTION AND SAME CARRIED.

COMMISSIONER DEWEY MOVED THAT THE SPECIAL SESSION ADJOURN.
COMMISSIONER HOFLEN SECONDED THE MOTION AND SAME CARRIED.

ATTEST:

Ralph Seavert
RALPH SEAVERT
COUNTY AUDITOR

Palmer Enge
PALMER ENGE - CHAIRMAN

FORMAN, NORTH DAKOTA
NOVEMBER 2ND, 1965

THE BOARD OF COUNTY COMMISSIONERS MET, PURSUANT TO ADJOURNMENT, WITH ALL MEMBERS PRESENT.

THE BOARD PROCEEDED WITH THE HEARING OF OBJECTIONS TO THE MINIMUM SALES PRICE ON LANDS AND LOTS FORFEITED TO THE COUNTY FOR NON-PAYMENT OF TAXES AS ADVERTISED.

EARL W. ANDERSON AND CARL OLSON REPRESENTING THE RUTLAND VILLAGE BOARD MET WITH THE COMMISSIONERS AND OBJECTED TO THE APPRAISAL ON LOTS 18-19-20, BLOCK 3, GREENE'S 2ND ADDITION, VILLAGE OF RUTLAND IN THE SUM OF \$670.00.
COMMISSIONER SMITH MOVED THAT THE APPRAISAL ON LOTS 18-19-20, BLOCK 3, GREENE'S 2ND ADDITION, VILLAGE OF RUTLAND BE REDUCED FROM \$670.00 TO \$350.00.

COMMISSIONER DEWEY SECONDED THE MOTION AND SAME CARRIED.

COMMISSIONER BRUNS MOVED THAT ALL OTHER APPRAISALS OF COUNTY TAX DEED LANDS AND LOTS BE APPROVED AS SHOWN ON THE LIST POSTED IN THE FRONT OF THE COURTHOUSE, DATED OCTOBER 22ND, 1965.

COMMISSIONER HOFLEN SECONDED THE MOTION AND SAME CARRIED.

THE BOARD PROCEEDED TO OPEN BIDS FOR THE FURNISHING OF COAL SUPPLIES FOR THE ENSUING YEAR. A BID SUBMITTED BY THE LEACH LUMBER CO. OF HAVANA, NORTH DAKOTA, WAS THE ONLY BID RECEIVED.

MOTION BY COMMISSIONER BRUNS AND SECONDED BY COMMISSIONER HOFLEN THAT THE BOARD ACCEPT THE BID OF LEACH LUMBER CO., FOR THE FURNISHING OF COAL SUPPLIES FOR THE ENSUING YEAR. MOTION CARRIED.

THE FOLLOWING BILLS WERE AUDITED AND ON MOTION ORDERED PAID:

WAR. No.					
11573	NORMAN M. ANDERSON	SERVICES AS PATROLMAN	LESS TAX \$49.38	\$275.62	
11574	OLIVER ANDERSON	SERVICES & MILEAGE AS PATROLMAN	LESS TAX 22.49	356.11	
11575	ALVIN G. BACKER	SERVICES AS PATROLMAN	LESS TAX 18.28	306.72	
11576	DERWOOD L. ELLESTAD	SERVICES & MILEAGE AS PATROLMAN	LESS TAX 12.69	356.91	
11577	JOHN ERLBUSCH	SERVICES AS SUPERVISOR	LESS TAX 42.29	332.71	
11578	ROBERT THAYER	SERVICES & MILEAGE AS PATROLMAN	LESS TAX 14.79	341.31	
11579	ROGER BRANDT	CHECKING GRAVEL	LESS TAX 4.19	127.44	
11580	MARCELLA CINK	CHECKING GRAVEL	LESS TAX 3.67	112.68	
11581	ARTHUR KROHN	HAULING GRAVEL & BLADING	LESS TAX 8.10	216.32	
11582	CHARLES MARTIN	MOWING WEEDS	LESS TAX 9.49	252.31	
11583	VINCENT NELSON	HAULING GRAVEL	LESS TAX 2.95	78.30	
11584	MILTON FAY, SHERIFF	APPLY ON CHRIS SOLBERG TAXES		3.82	
11585	CHRIS SOLBERG	CHECKING GRAVEL	LESS TAX 1.93	51.67	
11586	BRAMPTON SERVICE	GAS & SUPPLIES		115.27	
11587	COLBY OIL Co.	DIESEL FUEL		1,016.68	
11588	FORMAN IMPLEMENT	REPAIRS		30.79	
11589	FREDS TEXACO	GAS		10.33	
11590	FARMERS UNION OIL Co.	SUPPLIES		5.96	
11591	VEVA GLASER	GARAGE RENT		15.00	
11592	KIEFER PROB.	SUPPLIES		109.64	
11593	KRIDER EQUIPMENT Co. INC.	REPAIRS		14.66	
11594	MAHRER CONSTRUCTION Co.	HAULING GRAVEL		5,301.52	

WAR. No.					
11595	MILNOR LUMBER Co.	SUPPLIES		\$ 5.40	
11596	KENNETH MUND	HAULING GRAVEL		1,716.91	
11597	NELSON IMPLEMENT & CHEV. Co.	REPAIRS		7.21	
11598	NORTHWESTERN SHEET & IRON WORKS	CULVERTS		1,068.55	
11599	N.W. EQUIPMENT Co. INC.	REPAIRS		50.10	
11600	OAKES TIMEB	LEGAL ADD		6.60	
11601	IRWIN ODEGARD	REPAIRS & LABOR		38.10	
11602	STANDARD OIL Co.	GAS		112.11	
11603	SWANSON MOTOR Co.	REPAIRS		13.50	
11604	LLOYD SUBAG	MOWING WEEDS		7.50	
11605	UNITED BUILDING CENTERS	SUPPLIES		4.50	
11606	BRAMPTON OIL Co.	OIL		111.48	
11607	GEO. R. BRUNS	SERVICES & MILEAGE AS COMMISSIONER	LESS TAX \$ 3.99	159.51	
11608	CHAS. O. DEWEY	SERVICES & MILEAGE AS COMMISSIONER	LESS TAX 3.99	135.61	
11609	PALMER ENGE	SERVICES & MILEAGE AS COMMISSIONER	LESS TAX 2.54	100.96	
11610	GEO. HOFLEN	SERVICES & MILEAGE AS COMMISSIONER	LESS TAX 2.90	111.00	
11611	MELVIN SMITH	SERVICES & MILEAGE AS COMMISSIONER	LESS TAX 2.54	106.96	
11612	AARSETH HARDWARE	SUPPLIES		25.23	
11613	VINCENT BALD	TRANSCRIPTS		8.80	
11614	BURROUGHS CORP.	SERVICE CONTRACT		415.45	
11615	CLIFFORD CHRISTENSEN	HAULING COAL		8.00	
11616	COLEMAN'S INC.	SUPPLIES		16.55	
11617	ELDERS RADIO COMM.	RADIO REPAIR		61.94	
11618	EXTENSION SERVICE - FARGO	COUNTY SHARE OF WORK STUDY PROGRAM		93.68	
11619	FARGO PAPER Co.	SUPPLIES		39.99	
11620	MILTON FAY, SHERIFF	MILEAGE & EXPENSES		115.55	
11621	FORMAN DRUG	SUPPLIES		4.30	
11622	GAFFANEY'S	SUPPLIES		6.91	
11623	GLOBE-GAZETTE PRINTING Co.	OFFICE SUPPLIES		173.88	
11624	YVONNE M. JOHNSGARD	MILEAGE & EXPENSES AS JUVENILE COMMISSIONER		122.25	
11625	RONALD J. LAPIERRE	EXPENSES		4.00	
11626	JOHN MCGREGOR	MILEAGE & EXPENSES AS COUNTY JUSTICE		64.05	
11627	JOHN MCGREGOR	MILEAGE & EXPENSES AS VETERANS SERVICE OFFICER		85.44	
11628	MONROE INTERNATIONAL INC.	SERVICE CONTRACT		99.00	
11629	HARRIS MUND	MILEAGE		40.80	
11630	N.D. COMMISSIONERS ASS'N	1966 DUES		37.50	
11631	HILBERT PFEIFER JR.	MILEAGE, EXPENSES & COUNTY SHARE OF SALARY		313.40	
11632	RUTLAND HEATING & PLUMBING	SUPPLIES		113.95	
11633	SARGENT COUNTY NEWS	PROCEEDINGS & SUPPLIES		190.73	
11634	SARGENT COUNTY TELLER	PROCEEDINGS & SUPPLIES		150.70	
11635	SAEWERT ELECTRIC	SUPPLIES		29.70	
11636	PUBLIC WELFARE BOARD OF N.D.	AID TO DEPENDENT CHILDREN, AGED & DISABLED PERSONS AND MEDICAL AID TO AGED		1,258.96	
11637	PALMER FOLEY	CHECKING GRAVEL PROJECT CS 767(5) 217(7) LESS TAX	1.18	32.12	
11638	ERNEST LONEY	CHECKING GRAVEL PROJECT CS 767(5) 217(7) LESS TAX	3.35	99.95	
11639	CLAYTON SEVERSON	WEIGHING GRAVEL PROJECT CS 767(5) 217(7) LESS TAX	4.08	119.42	
11640	N.D. STATE SCHOOL OF SCIENCE	TESTING GRAVEL PROJECT CS 767(5) 217(7)		27.00	
11641	N.D. STATE HIGHWAY DEPARTMENT	ESTIMATE NO. 1 PROJECTS CS 767(5) & CS 217(7)		30,435.02	
11642	SARGENT COUNTY WELFARE BOARD	APPROPRIATION FOR NOVEMBER		500.00	
11643	FORMAN DRUG	200 VIALS OPT AND 400 VIALS DT		500.00	

ON MOTION THE BOARD APPROVED PAYMENTS MADE BY THE SARGENT COUNTY WELFARE BOARD IN THE SUM OF \$981.79 FOR THE MONTH OF OCTOBER AND FOR WHICH WARRANT NOS. 11487 TO 11500 AND 11557 TO 41562 INCLUSIVE HAD BEEN ISSUED.

COMMISSIONER DEWLEY MOVED THAT THE BOARD ADJOURN TO 9 O'CLOCK A.M. NOVEMBER 17TH, 1965.
COMMISSIONER DEWEY SECONDED THE MOTION AND SAME CARRIED.

ATTEST:

Ralph Seavert
RALPH SEAVERT
COUNTY AUDITOR

Palmer Engge
PALMER ENGE - CHAIRMAN

FORMAN, NORTH DAKOTA
NOVEMBER 17TH, 1965

THE BOARD OF COUNTY COMMISSIONERS MET, PURSUANT TO ADJOURNMENT, WITH ALL MEMBERS PRESENT EXCEPT COMMISSIONER DEWEY.

COMMISSIONER HOFLEN MOVED THAT THE FOLLOWING SALES OF COUNTY TAX DEED PROPERTY SOLD AT THE NOVEMBER SALE HELD ON NOVEMBER 16TH, 1965, BE APPROVED AND DEEDS ISSUED TO PURCHASERS AS FOLLOWS:
OUTLOTS A & C, AUDITOR'S PLAT, NICHOLSON TO KEITH W. & CARRIE L. RUHN, JR. TENB., COGSWELL, NORTH DAKOTA.
LOTS 26 & 27, BLOCK 4, VILLAGE OF BRAMPTON TO VIOLA PIERSON, BRAMPTON, NORTH DAKOTA.
LOT 6, BLOCK 1, WILLIAMSON'S 1ST ADDITION, VILLAGE OF HAVANA TO MIKE O'BRIEN, HAVANA, NORTH DAKOTA.
LOT 13, BLOCK 2, VILLAGE OF RUTLAND TO CLEMENTS I. & HAZEL G. PREBLE, RUTLAND, NORTH DAKOTA.
LOT 1, BLOCK 3, DEVLINS 1ST ADDITION, VILLAGE OF CAYUGA TO THOMAS CRYAN, CAYUGA, NORTH DAKOTA.
E 1/2 OF BLOCK 1, MILL & GRAIN Co. ADDITION, VILLAGE OF CAYUGA TO JOHN T. & MYRTLE A. SUANDERS, CAYUGA, NORTH DAKOTA.
COMMISSIONER BRUNS SECONDED THE MOTION AND SAME CARRIED.

COMMISSIONER SMITH MOVED THAT THE SALE OF COUNTY TAX DEED PROPERTY FOR LOTS 7 & 8, BLOCK 12, MILWAUKEE ADDITION, VILLAGE OF COGSWELL TO MERLE I. & MAYBELLE M. DIETZ ON A CONTRACT FOR DEED, BE APPROVED.
COMMISSIONER BRUNS SECONDED THE MOTION AND SAME CARRIED.

COMMISSIONER SMITH MOVED THAT THE SALE OF COUNTY TAX DEED PROPERTY FOR LOTS 18-19-20, BLOCK 3, GREENE'S SECOND ADDITION, VILLAGE OF RUTLAND TO THE VILLAGE OF RUTLAND, A MUNICIPAL CORPORATION, BE APPROVED.
COMMISSIONER BRUNS SECONDED THE MOTION AND SAME CARRIED.

COMMISSIONER SMITH MOVED THAT THE BOARD ADJOURN TO 9 O'CLOCK A.M. DECEMBER 7TH, 1965.
COMMISSIONER HOFLEN SECONDED THE MOTION AND SAME CARRIED.

ATTEST:
Ralph Seavert
RALPH SEAVERT
COUNTY AUDITOR

Palmer Engge
PALMER ENGE - CHAIRMAN

THE BOARD OF COUNTY COMMISSIONERS MET, PURSUANT TO ADJOURNMENT, WITH ALL MEMBERS PRESENT EXCEPT COMMISSIONER DEWEY.

THE MINUTES OF THE LAST MEETING WERE READ AND ON MOTION APPROVED AS READ.

COMMISSIONER SMITH MOVED THAT THE CHAIRMAN BE AUTHORIZED TO SIGN A FALLOUT SHELTER LICENSE AGREEMENT FOR THE SARGENT COUNTY COURTHOUSE WITH THE NORTH DAKOTA CIVIL DEFENSE DIRECTOR.
COMMISSIONER HOFLEN SECONDED THE MOTION AND SAME CARRIED.

COMMISSIONER BRUNS MOVED THAT THE COUNTY AUDITOR IS HEREBY AUTHORIZED AND DIRECTED TO PLACE THE SUM OF \$526.41 ON THE 1965 TAX LIST FOR WEED MOWING ACCORDING TO A LIST ON FILE IN THE COUNTY AUDITOR'S OFFICE.
COMMISSIONER HOFLEN SECONDED THE MOTION AND SAME CARRIED.

COMMISSIONER SMITH INTRODUCED THE FOLLOWING RESOLUTION AND MOVED ITS ADOPTION:
BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF SARGENT COUNTY, THAT AIRCRAFT QUALIFYING UNDER THE REGULATIONS ESTABLISHED BY THE STATE GAME & FISH COMMISSIONER MAY HUNT COYOTE AND FOX WITHIN THE ABOVE MENTIONED COUNTY, EXCEPT THAT HUNTING MAY BE DONE IN A CLOSED AREA UPON REQUEST OF THE LANDOWNER.
COMMISSIONER BRUNS SECONDED THE RESOLUTION AND SAME CARRIED.

THE FOLLOWING BILLS WERE AUDITED AND ON MOTION ORDERED PAID:

WRR. No.					
11719	NORMAN M. ANDERSON	SERVICES & MILEAGE AS PATROLMAN	LESS TAX	\$53.59	\$301.26
11720	OLIVER ANDERSON	SERVICES AS PATROLMAN	LESS TAX	22.49	328.76
11721	ALVIN G. BACKER	SERVICES & MILEAGE AS PATROLMAN	LESS TAX	18.28	329.67
11722	DERWOOD L. ELLESTAD	SERVICES & MILEAGE AS PATROLMAN	LESS TAX	12.69	349.91
11723	JOHN ERLENBUSCH	SERVICES AS SUPERVISOR	LESS TAX	42.29	332.71
11724	ROBERT THAYER	SERVICES & MILEAGE AS PATROLMAN	LESS TAX	14.79	340.96
11725	GUY ANDERSON	CHECKING GRAVEL	LESS TAX	1.59	44.96
11726	ROGER BRANDT	WEIGHING GRAVEL	LESS TAX	1.09	28.92
11727	OLE BREUM	CHECKING GRAVEL	LESS TAX	27.58	220.23
11728	SAM BRUNS	HAULING GRAVEL	LESS TAX	2.95	78.31
11729	MARCELLA M. CINK	CHECKING GRAVEL	LESS TAX	1.06	36.60
11730	ARTHUR KROHN	SERVICES AS PATROLMAN	LESS TAX	3.26	86.74
11731	CHARLES MARTIN	MOWING WEEDS	LESS TAX	5.84	155.16
11732	VICTOR STRAND	CHECKING GRAVEL	LESS TAX	30.55	186.01
11733	BUTLER MACHONERY Co.	REPAIRS			1,823.83
11734	BERUBE OLIVER FORD	REPAIRS			4.11
11735	COLBY OIL Co.	DIESEL FUEL			649.55
11736	EDISON MOTORS	REPAIRS			109.25
11737	FARGO CULVERT Co.	CULVERTS			1,948.66
11738	FARMERS UNION OIL Co.	SUPPLIES			8.70
11739	FARMERS UNION OIL Co. (RUT)	SUPPLIES			24.94
11740	FORMAN IMPLEMENT	REPAIRS			144.91
11741	VEVA GLASER	GARAGE RENT			15.00
11742	GWINNER METAL PRODUCTS	SUPPLIES			12.00
11743	JIMB STANDARD	GAS & SUPPLIES			84.52
11744	KIEFER Bros.	SUPPLIES			15.22
11745	KURTH TRENCHING SERVICE	INSTALLING CULVERTS			83.00
11746	LLOYDS STANDARD SERVICE	SUPPLIES			52.37
11747	MAHRER CONSTRUCTION Co.	GRAVEL HAULING			3,842.81
11748	MAHRER CONSTRUCTION Co.	HAULING GRAVEL			1,487.51
11749	CHRIS MATHIAS	GRAVEL			198.29
11750	KENNETH MUND	HAULING GRAVEL			19.68
11751	NORTHWESTERN SHEET & IRON WORKS	CULVERTS			1,571.20
11752	EARL PARROW	HAULING GRAVEL			8,852.30
11753	SEAVERTS AUTO SERVICE	REPAIRS			4.85
11754	STODT MOTORS INC.	REPAIRS			16.45
11755	STANDARD OIL	GAS			65.22
11756	RAY BROCKMAN	GEAR LUBE			4.10
11757	SVENDS CORNER SERVICE	SUPPLIES			11.25
11758	GERRY TROM	SUPPLIES			11.92
11759	W.W. WALLWORK INC.	SUPPLIES			5.55
11760	WALTER WILLIAMSON	GRAVEL			360.66
11761	WITTS SERVICE	SUPPLIES			32.24
11762	GEO. R. BRUNS	SERVICES & MILEAGE AS COMMISSIONER	LESS TAX	2.54	96.46
11763	PALMER ENGE	SERVICES & MILEAGE AS COMMISSIONER	LESS TAX	1.81	68.19
11764	GEO. HOFLEN	SERVICES & MILEAGE AS COMMISSIONER	LESS TAX	2.18	82.02
11765	MELVIN SMITH	SERVICES & MILEAGE AS COMMISSIONER	LESS TAX	2.90	111.80
11766	MARCELLENE R. SAEWERT	S C D CLERK HIRE	LESS TAX	1.17	31.23
11767	HARRY H. WILKE	NIGHT WATCH	LESS TAX	.11	2.89
11768	AARSETH HARDWARE	SUPPLIES			17.62
11769	A S C S	ADDRESS - O - GRAPHY			30.00
11770	BURROUGHS CORP.	SUPPLIES			4.00
11771	EPKO FILM SERVICE	SUPPLIES			84.99
11772	MILTON FAY, SHERIFF	MEALS FOR PRISONERS			4.00
11773	MILTON FAY, SHERIFF	MILEAGE FOR NOVEMBER			114.50
11774	FORMAN DRUG	SUPPLIES			2.65
11775	CURTIS FREITAG	MILEAGE AS CIVIL DEFENSE DIRECTOR			10.60
11776	GAMBLES	SUPPLIES			3.47
11777	GLOBE-GAZETTE PRINTING Co.	OFFICE SUPPLIES			83.67
11778	YVONNE M. JOHNSGARD	MILEAGE & EXPENSES			46.57
11779	LEACH LUMBER Co.	COAL			264.88
11780	JOHN MILLERHAGEN	SUPPLIES			5.85
11781	HARRIS MUND	MILEAGE			25.60
11782	JOHN MCGREGOR	MILEAGE & EXPENSES AS VETERANS SERVICE OFFICER			112.76
11783	ELWOOD NELSON	AIRPLANE HIRE			40.00
11784	HILBERT B. PFEIFER JR.	MILEAGE, EXPENSES & COUNTY SHARE OF SALARY			386.30
11785	SARGENT COUNTY NEWS	SUPPLIES			151.95
11786	SARGENT COUNTY TELLER	LEGAL ADDS & SUPPLIES			168.46
11787	RALPH SEAVERT	MILEAGE & EXPENSES			84.15
11788	TAPCO.	SUPPLIES			2.88
11789	WEST PUBLISHING Co.	LEGAL SUPPLIES			147.00
11790	MURPHY MOTOR FREIGHT	FREIGHT			12.00
11791	LYLE M. MCCORMICK	DESIGN PROJECT CS 113 (5)			65.25

WAR. No. 11792 N.D. PUBLIC WELFARE BOARD AID TO DEPENDENT CHILDREN, AGED & DISABLED PERSONS & MEDICAL AID TO AGED \$1,449.90

11794 ADOLPH TRYSA ENGINEERING SERVICES PROJECTS CS 217 (7) & CS 767 (5) LESS TAX \$50.00 1,015.50

AN APPLICATION FOR ABATEMENT AND SETTLEMENT OF TAXES SUBMITTED BY ALBERT BENRUD, MILNOR, NORTH DAKOTA, STATING THAT THE ASSESSMENT OF \$400.00 FOR FARM RESIDENCE LOCATED ON THE SE $\frac{1}{4}$ OF SEC. 29, TWP. 131, RANGE 54 IS NOT RENTED PROPERTY AND THEREFORE IS NOT SUBJECT TO ASSESSMENT.

COMMISSIONER SMITH MOVED THAT THE APPLICATION FOR ABATEMENT AND SETTLEMENT OF TAXES SUBMITTED BY ALBERT BENRUD BE DISAPPROVED, SAME HAVING BEEN DISAPPROVED BY THE SHUMAN TOWNSHIP BOARD.
COMMISSIONER BRUNS SECONDED THE MOTION AND SAME CARRIED.

ON MOTION THE BOARD APPROVED PAYMENTS MADE BY THE SARGENT COUNTY WELFARE BOARD IN THE SUM OF \$1,193.02 FOR THE MONTH OF NOVEMBER AND FOR WHICH WARRANT NOS. 11646 TO 11656 AND 11702 TO 11707 INCLUSIVE HAD BEEN ISSUED.

COMMISSIONER BRUNG MOVED THAT THE BOARD ADJOURN TO 1:00 P.M. DECEMBER 15TH, 1965.
COMMISSIONER SMITH SECONDED THE MOTION AND SAME CARRIED.

ATTEST:
Ralph Seavert
RALPH SEAVERT
COUNTY AUDITOR

Palmer Engge
PALMER ENGE - CHAIRMAN

FORMAN, NORTH DAKOTA
DECEMBER 15TH, 1965

THE BOARD OF COUNTY COMMISSIONERS MET, PURSUANT TO ADJOURNMENT, WITH ALL MEMBERS PRESENT EXCEPT COMMISSIONER DEWEY.

DONALD BOSBE, GEORGE BISHOFF, ART ROBERTS, S.S. COOPER, DENNIS BISHOFF AND WAYNE LUNNEBORG MET WITH THE BOARD IN REGARDS TO BLACKTOPPING COUNTY HIGHWAY NO. 4 FROM BRAMPTON SOUTH TO STATE LINE.

COMMISSIONER SMITH MOVED THAT THE CHAIRMAN AND THE COUNTY AUDITOR BE AUTHORIZED AND DIRECTED TO SIGN A QUIT CLAIM DEED TO THE UNITED STATES OF AMERICA FOR ALL LANDS BELONGING TO SARGENT COUNTY ALONG THE NORTH SHORE LINE OF LAKE TEWAUKON CONTAINING 27.40 ACRES MORE OR LESS FOR THE SUM OF \$625.00.

COMMISSIONER BRUNS SECONDED THE MOTION AND SAME CARRIED.

COMMISSIONER SMITH MOVED THAT THE CHAIRMAN BE AUTHORIZED AND DIRECTED TO SIGN AN APPLICATION FOR PROGRAMING PROJECT NO. FAS ROUTE # 599 FROM 4.0 MILES NORTH OF COGSWELL VIA STIRUM TO STATE HIGHWAY 13 FOR BLACKTOPPING WITH THE STATE HIGHWAY DEPARTMENT.

COMMISSIONER BRUNS SECONDED THE MOTION AND SAME CARRIED.

COMMISSIONER SMITH INTRODUCED THE FOLLOWING RESOLUTION AND MOVED ITS ADOPTION:

BE IT HEREBY RESOLVED, THAT THE FOUR MILES OF COUNTY ROAD NO. 4 FROM BRAMPTON SOUTH TO THE SOUTH DAKOTA LINE BE BLACKTOPPED IN 1966 AND COUNTY ROAD NO. 10 FROM CAYUGA SOUTH (3 MILES MORE OR LESS) BE BLACKTOPPED IN 1968, SAME TO BE PAID FOR OUT OF COUNTY HIGHWAY FUNDS.

COMMISSIONER BRUNS SECONDED THE RESOLUTION. ON ROLL CALL VOTE COMMISSIONERS BRUNS, ENGE, HOFLEN AND SMITH VOTED AYE. NO ONE VOTED NAY AND THE RESOLUTION WAS DECLARED CARRIED AND ADOPTED.

COMMISSIONER BRUNS INTRODUCED THE FOLLOWING RESOLUTION GOVERNING AND REGULATING THE SALE OF LIQUOR AND BEER IN SARGENT COUNTY, NORTH DAKOTA:

WHEREAS, THE LAWS OF THE STATE OF NORTH DAKOTA PROVIDE THAT " . . . ANY PERSON DESIRING TO ENGAGE IN THE RETAIL SALE OF LIQUOR AT ANY PLACE OTHER THAN WITHIN THE INCORPORATED LIMITS OF A CITY OR VILLAGE MUST FIRST PROCURE A LICENSE FROM THE COUNTY COMMISSIONERS FROM THE COUNTY IN WHICH SUCH BUSINESS IS TO BE CONDUCTED . . . " AND PROVIDE THAT " THE GOVERNING BODY OF ANY CITY, VILLAGE, OR COUNTY MAY REVOKE LICENSES FOR CAUSE AND MAY REGULATE THE RETAIL SALE OF LIQUOR WITHIN ITS JURISDICTION, SUBJECT TO REVIEW BY THE COURTS OF THE STATE, " AND

WHEREAS, THE LAWS OF THE STATE OF NORTH DAKOTA FURTHER PROVIDE THAT THE BOARD OF COUNTY COMMISSIONERS OF EACH COUNTY SHALL ALSO HAVE THE POWER TO REQUIRE LICENSES FOR AND TO REGULATE THE SALE OF BEER IN ANY PLACE WITHIN THE COUNTY OTHER THAN WITHIN THE ~~INCORPORATED~~ LIMITS OF CITIES OR VILLAGES, AND INCORPORATED

WHEREAS, THE RULES AND REGULATIONS AND RESOLUTIONS AND AMENDMENTS THERTO HERETOFORE ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARGENT COUNTY, NORTH DAKOTA FOR THE REGULATION OF THE RETAIL SALE OF LIQUOR AND BEER ARE OUTDATED AND IN NEED OF REVISION.

NOW, THEREFORE, BE IT RESOLVED, THAT THE FOLLOWING RULES AND REGULATIONS BE AND THEY ARE HEREBY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARGENT COUNTY, NORTH DAKOTA, AS THE RULES AND REGULATIONS FOR GOVERNING THE RETAIL SALE OF LIQUOR AND BEER IN ALL PLACES WITHIN SARGENT COUNTY, NORTH DAKOTA, OTHER THAN WITHIN THE INCORPORATED LIMITS OF CITIES AND VILLAGES IN SAID SARGENT COUNTY, THE FOLLOWING RULES AND REGULATIONS TO BECOME EFFECTIVE ON THE FIRST DAY OF JANUARY, 1966, AND BE IT FURTHER RESOLVED, THAT ALL THE RULES AND REGULATIONS AND RESOLUTIONS AND AMENDMENTS THERTO HERETOFORE ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARGENT COUNTY, NORTH DAKOTA FOR THE REGULATION OF THE RETAIL SALE OF LIQUOR AND BEER ARE HEREBY REPEALED AND REVOKED.

SECTION 1. MUST OBTAIN LICENSE. WHEN LICENSE EXPIRE. NO PERSON, AS HEREINAFTER DEFINED, SHALL SELL, EXCHANGE, BARTER, DISPOSE OF OR KEEP FOR SALE, ANY LIQUOR OR BEER, AS HEREINAFTER DEFINED, WITHOUT FIRST HAVING OBTAINED A LICENSE THEREFOR AS HEREIN PROVIDED.

ALL LICENSES GRANTED UNDER THE PROVISIONS OF THIS RESOLUTION SHALL EXPIRE ON THE 31ST DAY OF DECEMBER IN EACH YEAR.

SECTION 2. DEFINITIONS. THE WORD " PERSON " WHENEVER USED IN THIS RESOLUTION SHALL INCLUDE ANY NATURAL PERSON, ASSOCIATION, CO- PARTNERSHIP, AND CORPORATION, AND ANY CLERK, AGENT AND ABETOR THEREOF.

THE TERMS " INTOXICATING LIQUOR " AND " LIQUOR " WHENEVER USED IN THIS RESOLUTION SHALL MEAN AND INCLUDE ANY ALCOHOLIC, SPIRITOUS, VINOUS, FERMENTED, MALTED, OR OTHER LIQUOR WHICH CONTAINS MORE THAN FOUR PERCENT (4%) OF ALCOHOL BY WEIGHT, ALL AS DEFINED BY THE STATUTES OF THE STATE OF NORTH DAKOTA, AND ANY AMENDMENTS OR SUPPLEMENTS THERETO.

THE TERM " BEER ", WHEN USED IN THIS RESOLUTION, SHALL MEAN BEER CONTAINING FOUR PERCENT (4%) OR LESS, OF ALCOHOL BY WEIGHT.

THE TERM " ALCOHOLIC BEVERAGES ", WHEN USED IN THIS RESOLUTION, SHALL MEAN " ALCOHOLIC BEVERAGES " AS DEFINED BY THE STATUTES AND LAWS OF THE STATE OF NORTH DAKOTA, AND ALL AMENDMENTS OR SUPPLEMENTS THERETO.

THE TERMS " SALE " AND " SELL " SHALL MEAN AND INCLUDE ALL BARTERS AND ALL MANNERS OR MEANS OF FURNISHING OF INTOXICATING LIQUOR OR LIQUORS OR BEER, INCLUDING THE SELLING, EXCHANGE, BARTER, DISPOSITION OF AND KEEPING FOR SALE OF SUCH INTOXICATING LIQUORS OR BEER.

THE TERM "OFF - SALE " SHALL MEAN THE SALE OF LIQUOR OR BEER IN ORIGINAL PACKAGE FOR CONSUMPTION OFF OR AWAY FROM THE PREMISES WHERE SOLD.

THE TERM " ON - SALE " SHALL MEAN THE SALE OF LIQUOR OR BEER FOR CONSUMPTION ON THE PREMISES WHERE SOLD OR IN THE ORIGINAL PACKAGE.

THE TERMS "PACKAGE" OR " ORIGINAL PACKAGE " SHALL MEAN AND INCLUDE ANY CONTAINER OR RECEPTACLE HOLDING LIQUOR OR BEER, WHICH CONTAINER OR RECEPTACLE IS CORKED OR SEALED.

THE TERMS "CLUB" OR " LODGE " SHALL MEAN AND INDICATE ANY CORPORATION OR ASSOCIATION ORGANIZED FOR CIVIC, FRATERNAL, SOCIAL OR BUSINESS PURPOSES OR FOR THE PROMOTION OF SPORTS, WHICH HAS AT LEAST TWO HUNDRED (200) BONA FIDE MEMBERS AND WAS IN EXISTENCE ON THE 3RD DAY OF NOVEMBER, 1936.

THE TERM "BOTTLE CLUB" WHENEVER USED IN THIS RESOLUTION SHALL MEAN AND INCLUDE ANY ESTABLISHMENT, PUBLIC OR PRIVATE, WHICH FOR A FEE OR CONSIDERATION OF ANY KIND FURNISHES SOFT DRINKS, MIX, ICE OR ANY OTHER SERVICE FOR THE MIXING THEREOF WITH ANY ALCOHOLIC BEVERAGE BROUGHT ON THE PREMISES, OR WHICH PERMITS PERSONS TO BRING ALCOHOLIC BEVERAGES ON THE PREMISES FOR THEIR OWN USE AND CONSUMPTION, OR WHICH PERMITS THE STORAGE OF ALCOHOLIC BEVERAGES ON THE PREMISES FOR LATER USE.

SECTION 3. LICENSES TO BE ISSUED HEREUNDER. THE LICENSE TO BE ISSUED HEREUNDER SHALL BE OF TWO KINDS, TO-WIT: A RETAILER'S ON AND OFF SALE LIQUOR LICENSE, AND A RETAILER'S ON AND OFF SALE BEER LICENSE.

THE LICENSE FEE FOR A RETAILER'S ON AND OFF SALE LIQUOR LICENSE SHALL BE THE SUM OF FOUR HUNDRED AND No/100 (\$400.00) DOLLARS PER YEAR, UNLESS THE PLACE LICENSED SHALL BE WITHIN FOUR MILES OF ANY INCORPORATED CITY OR VILLAGE, IN WHICH CASE THE LICENSE FEE SHALL BE THE SAME AS CHARGED BY THE NEAREST CITY OR VILLAGE WITHIN SAID FOUR-MILE RADIUS, PROVIDED, HOWEVER, THAT THE LICENSE FEE FOR PLACES LICENSED WITHIN FOUR MILES OF ANY INCORPORATED CITY OR VILLAGE SHALL NOT IN ANY EVENT EXCEED THE SUM OF ONE THOUSAND AND No/100 (\$1,000.00) DOLLARS, AND SUCH LICENSE FEE SHALL BE IN ANY EVENT AT LEAST THE SUM OF FOUR HUNDRED AND No/100 (\$400.00) DOLLARS.

THE LICENSE FEE FOR A RETAILER'S ON AND OFF SALE BEER LICENSE SHALL BE TWENTY-FIVE AND No/100 (\$25.00) DOLLARS A YEAR.

ALL LICENSE FEES SHALL BE PAYABLE ANNUALLY IN ADVANCE AT THE TIME OF THE ISSUANCE OF THE LICENSE. IF THE TIME FOR WHICH THE FIRST LICENSE IS ISSUED HEREUNDER TO ANY INDIVIDUAL IS LESS THAN ONE YEAR, A FULL ANNUAL LICENSE FEE MUST BE PAID, BUT A PRO-RATE REFUND WILL BE MADE TO THE APPLICANT UPON THE RENEWAL OF SUCH LICENSE FOR THE FOLLOWING YEAR.

SECTION 4. APPLICATION. ANY PERSON DESIRING TO SECURE A LICENSE TO SELL INTOXICATING LIQUOR, AS HEREBEFORE DESCRIBED, SHALL MAKE AND FILE A VERIFIED WRITTEN APPLICATION TO THE BOARD OF COUNTY COMMISSIONERS OF SARGENT COUNTY, NORTH DAKOTA, WITH THE COUNTY AUDITOR OF SAID COUNTY, CONTAINING SUBSTANTIALLY THE INFORMATION HERINAFTER REQUIRED AND WILL FURTHER APPEAR IN PERSON IF AN INDIVIDUAL OR CORPORATION, OR BY AN EXECUTIVE OFFICER OF A CORPORATION BEFORE THE SAID BOARD OF COUNTY COMMISSIONERS AT SUCH MEETING WHERE AT THE SAID APPLICATION WILL BE CONSIDERED. THE FOLLOWING INFORMATION SHALL BE REQUIRED:

- (1) FULL NAME, AGE AND ADDRESS OF APPLICANT.
- (2) WHETHER THE APPLICANT IS A CITIZEN OF THE UNITED STATES OF AMERICA, AND IF NATURALIZED, GIVING THE DATE AND PLACE OF SUCH NATURALIZATION.
- (3) IF A CORPORATION, THE DATE OF INCORPORATION, THE FACT THAT IT IS A NORTH DAKOTA CORPORATION, AMOUNT OF AUTHORIZED CAPITALIZATION, AND AMOUNT OF PAID IN CAPITAL, WHETHER A SUBSIDIARY OF ANY OTHER CORPORATION, THE PURPOSE OF THE CORPORATION, THE NAMES AND RESIDENCE ADDRESSES OF ALL OFFICERS, DIRECTORS, AND STOCKHOLDERS WHO EACH HELD MORE THAN ONE PERCENT OF THE CAPITAL STOCK, WITH THE AMOUNT OF STOCK HELD BY EACH.
- (4) DETAILED LEGAL DESCRIPTION OF THE LOCATION FOR WHICH LICENSE IS BEING APPLIED FOR.
- (5) THE NAME AND ADDRESS OF THE OWNER OF THE PREMISES WHICH IS SOUGHT TO BE LICENSED.
- (6) THE DATE OF DEED OR LEASE AND DATE OF RECORDING THE SAME FOR THE PREMISES.
- (7) WHETHER THE TAXES ON SUCH PREMISES ARE PAID OR PAST DUE.
- (8) WHETHER ANY APPLICANT HAS EVER ENGAGED IN THE SALE OR TRANSPORTATION OF LIQUOR PRIOR TO THIS APPLICATION, AND IF SO, GIVING DATE AND TYPE OF BUSINESS AND PLACE.
- (9) IF THE APPLICATION IS FOR A RENEWAL, GIVING DATE APPLICANT FIRST BEGAN TO OPERATE.
- (10) WHETHER APPLICANT HAS EVER HAD A LICENSE REJECTED BY ANY MUNICIPALITY, STATE^{AUTHORITY} OR FEDERAL AUTHORITY AND, IF SO, GIVING DATE AND DETAILS.
- (11) WHETHER THE APPLICANT HAS EVER BEEN CONVICTED OF ANY VIOLATION OF ANY LAW OF THE UNITED STATES OR OF THE STATE OF NORTH DAKOTA, OR ANY OTHER STATE, OR FOR THE VIOLATION OF ANY LOCAL ORDINANCE, WITH REGARD TO THE MANUFACTURE, SALE, DISTRIBUTION, OR POSSESSION FOR SALE OR DISTRIBUTION OF INTOXICATING LIQUOR, AND IF SO, GIVE DATE AND DETAILS.
- (12) WHETHER THE APPLICANT HAS EVER HAD A LICENSE FOR THE SALE OF INTOXICATING LIQUOR REVOKED FOR ANY VIOLATION OF ANY STATE OR LOCAL LAW OR ORDINANCE AND, IF SO, GIVING DATE AND DETAILS.
- (13) WHETHER APPLICANT HAS EVER BEEN INDICTED FOR OR CONVICTED OF ANY CRIME OTHER THAN AS STATED IN 11, IN THIS STATE OR ANY OTHER STATE, OR UNDER THE FEDERAL LAW, AND IF SO, GIVING DATE AND DETAILS.
- (14) GIVE NAMES AND ADDRESSES OF ANY AND ALL PARTNERS, SILENT OR OTHERWISE, INTERESTED IN ANY MANNER IN SAID BUSINESS, OR WHO WILL HAVE CHARGE, MANAGEMENT OR CONTROL OF THE ESTABLISHMENT FOR WHICH LICENSE IS APPLIED FOR.
- (15) WHETHER ANY PERSON OTHER THAN THE APPLICANT HAS ANY RIGHT, TITLE, ESTATE OR INTEREST IN THE LEASEHOLD, OR IN THE FURNITURE, FIXTURES OR EQUIPMENT IN THE PREMISES, FOR WHICH LICENSE IS APPLIED FOR AND, IF SO, GIVE NAMES, ADDRESSES AND DETAILS.
- (16) WHETHER APPLICANT HAS ANY AGREEMENT OR UNDERSTANDING OR INTENTION TO HAVE ANY AGREEMENT OR UNDERSTANDING WITH ANY PERSON, PARTNERSHIP OR CORPORATION TO OBTAIN FOR ANY OTHER, OR TRANSFER TO ANY OTHER PERSON THIS LICENSE, OR TO OBTAIN IT FOR ANY OTHER THAN THE SPECIFIC USE OF THE APPLICANT, AND IF SO, GIVING NAMES, ADDRESSES AND DETAILS.
- (17) WHETHER THE APPLICANT HAS ANY INTEREST WHATSOEVER, DIRECTLY OR INDIRECTLY, IN ANY OTHER LIQUOR ESTABLISHMENT WITHIN OR WITHOUT THE STATE OF NORTH DAKOTA, AND IF SO, GIVE NAMES AND ADDRESSES OF SUCH ESTABLISHMENTS.
- (18) LIST THE OCCUPATIONS THE APPLICANT HAS FOLLOWED DURING THE PAST TEN YEARS.

(19) THE APPLICANT SHALL FURNISH THE NAMES AND ADDRESSES OF AT LEAST THREE BUSINESS REFERENCES, INCLUDING ONE BANK, AND STATE BRIEFLY EXTENT BUSINESS RELATIONS WITH EACH.

(20) WHETHER APPLICANT IS RATED BY ANY COMMERCIAL AGENCY, AND IF SO, GIVE NAME AND DETAILS OF RATING.

(21) WHETHER APPLICANT INTENDS TO HANDLE CERTAIN EXCLUSIVE BRANDS OF INTOXICATING LIQUOR, AND IF SO, GIVE DETAILS OF CONTRACT ARRANGEMENT WITH PERSONS FROM WHOM SUCH PURCHASES ARE TO BE MADE.

(22) WHETHER THE APPLICANT IS ENGAGED IN ANY OTHER BUSINESS OR INTENDS TO ENGAGE IN ANY OTHER BUSINESS, THAN THE SALE OF LIQUOR UNDER THE LICENSE APPLIED FOR; IF SO, GIVE TYPE OF BUSINESS AND NAME OF EMPLOYER AND EMPLOYER'S ADDRESS.

(23) APPLICANT SHALL STATE NUMBER OF FEDERAL STAMP TAX RECEIPT.

(24) STATE WHETHER PERSONAL PROPERTY TAXES OF THE APPLICANT ARE PAST DUE AND UNPAID.

(25) STATEMENT AS TO WHETHER OR NOT APPLICANT PROMISES AND AGREES TO ABIDE BY THE PROVISIONS OF THE INITIATED LAW KNOWN AS THE " LIQUOR CONTROL ACT " OF THE STATE OF NORTH DAKOTA AND ALL AMENDMENTS THERETO, AND STATEMENT AS TO WHETHER OR NOT APPLICANT PROMISES AND AGREES TO ABIDE BY ALL THE PROVISIONS OF THIS RESOLUTION AND ANY AMENDMENTS OR ADDITIONS THERETO.

ANY PERSON DESIRING TO SECURE A LICENSE TO BELL BEER, AS HEREIN DESCRIBED, SHALL MAKE AND FILE AN APPLICATION WITH THE COUNTY AUDITOR ON FORMS PRESCRIBED BY THE COUNTY AUDITOR.

SECTION 5. INVESTIGATION OF FITNESS. THE SHERIFF OF SARGENT COUNTY, NORTH DAKOTA, OR SUCH OFFICER AS MAY BE DESIGNATED BY THE BOARD OF COUNTY COMMISSIONERS, SHALL INVESTIGATE THE FACTS STATED IN THE APPLICATIONS, AND THE CHARACTER, REPUTATION AND FITNESS OF THE APPLICANT AND SHALL REPORT ON SAID MATTERS TO THE SAID BOARD OF COUNTY COMMISSIONERS.

SECTION 6. LICENSES TO BE ISSUED TO WHOM. NO LICENSE SHALL BE ISSUED TO ANY APPLICANT UNLESS HE IS A LEGAL AND BONA FIDE RESIDENT AND CITIZEN OF THE STATE OF NORTH DAKOTA FOR AT LEAST ONE YEAR PRIOR TO THE TIME OF FILING HIS APPLICATION OR UNLESS THE APPLICANT IS A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF NORTH DAKOTA. IF THE APPLICANT IS A CORPORATION, ALL OFFICERS AND DIRECTORS THEREOF AND ANY STOCKHOLDER OWNING MORE THAN FIVE PERCENT OF THE STOCK OF SUCH CORPORATION, AND THE PERSON OR PERSONS WHO SHALL CONDUCT AND MANAGE THE LICENSED PREMISES FOR THE CORPORATION SHALL POSSESS ALL THE QUALIFICATIONS REQUIRED HEREIN FOR AN INDIVIDUAL LICENSEE; PROVIDED, HOWEVER, THAT THE REQUIREMENTS AS TO BEING A RESIDENT AND CITIZEN OF THE STATE SHALL NOT APPLY TO NONRESIDENT OFFICERS, DIRECTORS, AND STOCKHOLDERS OF SUCH CORPORATION, BUT SUCH REQUIREMENTS SHALL APPLY TO ANY OFFICER, DIRECTOR, OR STOCKHOLDER WHO IS ALSO THE MANAGER OF THE LICENSED PREMISES OR WHO IS ENGAGED OR EMPLOYED AT THE LICENSED PREMISES, IN ANY CAPACITY IN THE CONDUCT OR OPERATION OF THE LICENSED PREMISES.

NO LICENSE SHALL BE ISSUED TO ANY PERSON, COPARTNERSHIP OR CORPORATION ENGAGED IN THE BUSINESS AS A REPRESENTATIVE OR AGENT OF ANOTHER EXCEPTING AN ADMINISTRATOR OR EXECUTOR. THE LICENSE MAY BE ISSUED ONLY TO THE OWNER OR OWNERS OF THE BUSINESS BEING CONDUCTED AT THE LOCATION SOUGHT TO BE LICENSED.

WHEN AN APPLICANT IS A COPARTNERSHIP, ALL OF THE PARTNERS MUST HAVE THE SAME QUALIFICATIONS AS HEREIN REQUIRED OF ANY INDIVIDUAL APPLICANT.

SECTION 7. LICENSE NOT TO BE GRANTED WHEN REAL ESTATE TAXES OR PERSONAL PROPERTY TAXES ARE PAST DUE AND UNPAID. NO LICENSE SHALL BE GRANTED FOR THE SALE OF INTOXICATING LIQUOR OR BEER IN ANY PLACE FOR WHICH THE REAL ESTATE TAXES ARE PAST DUE AND UNPAID AT THE TIME OF THE FILING OF THE APPLICATION, NOR TO ANY APPLICANT WHOSE PERSONAL PROPERTY TAXES ARE PAST DUE AND UNPAID AT SAID TIME.

SECTION 8. SELLING, SERVING OR DISPENSING INTOXICATING LIQUOR OR BEER. NO LICENSEE, HIS AGENT, SERVANT OR EMPLOYEE, SHALL SELL, SERVE, GIVE AWAY OR DELIVER ANY INTOXICATING LIQUOR OR BEER TO ANY PERSON UNDER THE AGE OF TWENTY-ONE YEARS, AN INCOMPETENT PERSON, A HABITUAL DRUNKARD, AN INTOXICATED PERSON, A PAUPER OR THE INMATE OF ANY POOR HOUSE OR ALMHOUSE, AND IN ADDITION THERETO NO SUCH LICENSEE, HIS AGENT, SERVANT OR EMPLOYEE IS TO DO ANY OF THE FOLLOWING UPON THE LICENSED PREMISES:

(1) SELL OR PERMIT THE CONSUMPTION OF INTOXICATING LIQUOR OR BEER ON ANY DAY AT ANY TIME OR IN ANY MANNER CONTRARY TO THE LAWS OF THE STATE OF NORTH DAKOTA.

(2) PERMIT ANY DISORDERLY CONDUCT, BREACH OF THE PEACE, OR ANY LEWD, IMMORAL OR IMPROPER ENTERTAINMENT, CONDUCT OR PRACTICES.

(3) SELL, OFFER FOR SALE, POSSESS OR PERMIT THE CONSUMPTION OF ANY INTOXICATING LIQUOR OR BEER, THE SALE OR POSSESSION OF WHICH IS NOT AUTHORIZED UNDER HIS LICENSE.

NO SALE OF LIQUOR OR BEER SHALL BE MADE TO ANY PERSON IN ANY CLUB OR LODGE WHO IS NOT A BONA FIDE MEMBER THEREOF. NO SALE OF LIQUOR OR BEER SHALL BE MADE TO ANY CLUB OR LODGE AT ANY TIME WHEN THE BUILDING OR PREMISES OR ANY PART THEREOF, OCCUPIED BY SAID CLUB OR LODGE, SHALL BE THROWN OPEN TO THE USE OF THE PUBLIC.

SECTION 9. HOURS OF SALE. NO LICENSEE, HIS AGENT, SERVANT OR EMPLOYEE, SHALL SELL, SERVE, GIVE AWAY, OR DISPENSE OR PERMIT TO BE SOLD, SERVED OR DISPENSED ON THE PREMISES DESCRIBED IN HIS LICENSE, ANY LIQUOR OR BEER BETWEEN THE HOURS OF ONE (1:00) O'CLOCK A.M. AND EIGHT (8:00) O'CLOCK A.M. NO LICENSEE, HIS AGENT, SERVANT, OR EMPLOYEE, SHALL SERVE, SELL, GIVE AWAY, OR DISPENSE, OR PERMIT THE CONSUMPTION OF ANY LIQUOR OR BEER IN OR ON THE LICENSED PREMISES ON MEMORIAL DAY, GOOD FRIDAY, SUNDAY, AFTER 6:00 O'CLOCK P.M. ON CHRISTMAS EVE, ON CHRISTMAS DAY, OR ON THE DAY OF ANY GENERAL, PRIMARY, SPECIAL OR LOCAL ELECTION, WHILE THE POLLS ARE OPEN OR WITHIN ONE HOUR THEREAFTER.

SECTION 10. SEPARATION OF BAR. MINORS PROHIBITED. NO LICENSEE AUTHORIZED TO SELL LIQUOR OR BEER UNDER THIS RESOLUTION SHALL OPERATE OR MAINTAIN A BAR ON OR OVER WHICH ALCOHOLIC BEVERAGES ARE SOLD, FURNISHED, OR DISTRIBUTED IN ANY ROOM OR ROOMS WHEREIN FOOD IS SERVED AT TABLES FOR CONSUMPTION ON THE PREMISES. IT SHALL BE UNLAWFUL FOR ANY PERSON UNDER TWENTY-ONE YEARS OF AGE TO BE IN OR TO BE PERMITTED IN ANY ROOM WHEREIN IS OPERATED OR MAINTAINED A BAR ON OR OVER WHICH ALCOHOLIC BEVERAGES ARE SOLD, FURNISHED OR DISTRIBUTED. LIQUOR OR BEER MAY BE SOLD, FURNISHED OR DISTRIBUTED BY A LICENSEE AUTHORIZED TO SELL LIQUOR OR BEER, IN ANY ROOM OR ROOMS WHEREIN FOOD IS SERVED AT TABLES FOR CONSUMPTION ON THE PREMISES, SUBJECT TO THE FOLLOWING CONDITIONS:

(1) SUCH LICENSEE MUST HAVE GROSS SALES OF FOOD DURING THE CURRENT CALENDAR YEAR IN AN AMOUNT AT LEAST EQUAL TO THE GROSS SALES OF ALCOHOLIC BEVERAGES SOLD UNDER AN ON-SALE LICENSE IN SUCH ROOM OR ROOMS.

(2) A PERSON UNDER THE AGE OF TWENTY-ONE YEARS OF AGE MAY NOT BE IN OR PERMITTED IN SUCH ROOM OR ROOMS, UNLESS ACCOMPANIED BY ONE OF HIS PARENTS OR LEGAL GUARDIAN.

NO LICENSEE, HIS AGENT, SERVANT OR EMPLOYEE SHALL SELL, OFFER FOR SALE, GIVE AWAY, BARTER, CONSUME OR PERMIT THE CONSUMPTION OF ANY LIQUOR OR BEER IN ANY PLACE WHERE IS SOLD OR OFFERED FOR SALE ANY COMMODITY OTHER THAN

TOBACCO, TOBACCO PRODUCTS, SOFT DRINKS, PEANUTS, PRETZELS, POTATO CHIPS AND RELATED SUNDRIES, EXCEPT AS PERMITTED UNDER THIS SECTION.

SECTION 11. BOTTLE CLUBS. A BOTTLE CLUB SHALL NOT PERMIT THE CONSUMPTION, DISPENSING OR SERVING OF ALCOHOLIC BEVERAGES OR SOFT DRINKS OR MIXES FOR ALCOHOLIC BEVERAGES, OR DO ANY OTHER ACT UNTIL THE LIQUOR LICENSE PROVIDED BY THIS RESOLUTION HAS FIRST BEEN PROCURED. IN ADDITION, NO BOTTLE CLUB SHALL ALLOW ANY PERSON UNDER THE AGE OF TWENTY-ONE YEARS TO PURCHASE OR CONSUME ANY ALCOHOLIC BEVERAGES OR SOFT DRINKS OR BE IN THE ROOM OF ANY BOTTLE CLUB IN WHICH ALCOHOLIC BEVERAGES ARE SERVED OR CONSUMED. NO BOTTLE CLUB SHALL AT ANY TIME SELL OR GIVE AWAY ANY ALCOHOLIC BEVERAGES OF ANY KIND.

SECTION 12. TOWNSHIP LIQUOR LICENSE. NO LICENSE SHALL BE ISSUED HEREUNDER IN ANY ORGANIZED TOWNSHIP IN SARGENT COUNTY WITHOUT THE WRITTEN CONSENT OF THE TOWNSHIP SUPERVISORS OF SUCH TOWNSHIP. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO THE RENEWAL OF LICENSES HERETOFOR ISSUED.

SECTION 13. LICENSES NOT TRANSFERABLE. NO LICENSE ISSUED HEREUNDER SHALL BE TRANSFERABLE EXCEPTING TO ADMINISTRATORS AND EXECUTORS, AND NO CHANGE OF LOCATION SHALL BE PERMITTED WITHOUT FIRST MAKING APPLICATION TO AND RECEIVING THE APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS.

SECTION 14. PERSONS UNDER TWENTY-ONE YEARS NOT TO BE EMPLOYED. NO PERSON, MALE OR FEMALE, UNDER THE AGE OF TWENTY-ONE YEARS SHALL BE EMPLOYED IN ANY ROOM OR ROOMS CONSTITUTING THE PLACE IN WHICH LIQUOR OR BEER IS SOLD UNDER A LICENSE ISSUED HEREUNDER.

SECTION 15. LICENSEE RESPONSIBLE FOR CONDUCT OF HIS PLACE OF BUSINESS. EVERY LICENSEE IS HEREBY MADE RESPONSIBLE FOR THE CONDUCT OF HIS PLACE OF BUSINESS AND IS REQUIRED TO MAINTAIN ORDER AND SOBRIETY THEREIN. NO INTOXICATED PERSON SHALL BE PERMITTED TO REMAIN UPON THE PREMISES OR TO BE SERVED ANY LIQUOR OR BEER BY ANY LICENSEE, HIS AGENT OR EMPLOYEE. ANY VIOLATION OF LAW OR OF THIS RESOLUTION OR AMENDMENTS THERETO BY ANY AGENT OR EMPLOYEE OF A LICENSEE SHALL BE DEEMED A VIOLATION BY THE LICENSEE.

SECTION 16. LICENSE TO BE POSTED. LICENSES ISSUED TO LICENSEES HEREUNDER SHALL BE POSTED IN A CONSPICUOUS PLACE IN THAT PORTION OF THE PREMISES FOR WHICH THE LICENSE IS ISSUED.

SECTION 17. LOCATIONS. NO LICENSE SHALL BE ISSUED FOR ANY BUILDING, ROOM OR PLACE LOCATED WITHIN ONE HUNDRED AND FIFTY (150) FEET MEASURED FROM ENTRANCE TO ENTRANCE BY THE USUAL ROUTE OF TRAVEL, OF ANY CHURCH OR SCHOOL BUILDING.

NO LICENSE SHALL BE ISSUED FOR THE RETAIL SALE OF LIQUOR OR BEER, CLUBS AND LODGES EXCEPTED, FOR ANY LOCATION IN A BASEMENT OR ABOVE THE FIRST FLOOR OF ANY BUILDING, BUT THE ISSUANCE OF SUCH LICENSE SHALL BE CONFINED TO STORES AND ROOMS ON THE STREET LEVEL.

SECTION 18. TERMINATION AND REVOCATION OF LICENSES. THE LICENSES PROVIDED FOR IN THIS RESOLUTION SHALL TERMINATE ON THE 31ST DAY OF DECEMBER NEXT FOLLOWING THE DATE OF ISSUANCE, EXCEPT AS HEREIN OTHERWISE PROVIDED, OR SUCH SHORTER TERM AS MAY ARISE BY REASON OF THE REVOCATION OF SUCH LICENSE OR LICENSES FOR CAUSE WHICH SHALL INCLUDE AMONG OTHER GROUNDS, THE FOLLOWING:

- (1) THE DEATH OF THE LICENSEE.
- (2) WHEN THE LICENSEE CEASES DOING BUSINESS AT THE LOCATION LICENSED AND A PERMIT FOR CHANGE OF LOCATION HAS BEEN DENIED.
- (3) WHEN THE LICENSEE BE ADJUDGED BANKRUPT.
- (4) WHEN THE LICENSEE BE CONVICTED OF COMMITTING A FELONY OR ANY OTHER OFFENSE INVOLVING MORAL TURPITUDE UNDER THE LAWS OF THE UNITED STATES OR UNDER THE LAWS OF ANY OF THE STATES.
- (5) WHEN THE LICENSEE CEASES TO BE A LEGAL AND BONA FIDE RESIDENT OF THE STATE OF NORTH DAKOTA.
- (6) WHEN THE LICENSE OR PERMIT OF THE LICENSEE FROM THE UNITED STATES GOVERNMENT TO SELL INTOXICATING LIQUOR OR BEER HAS BEEN TERMINATED OR REVOKED.
- (7) WHEN THE BUSINESS OF THE LICENSEE AT THE LOCATION LICENSED SHALL BE CONDUCTED IN VIOLATION OF THE HEALTH OR SANITARY REGULATIONS OF THE STATE OF NORTH DAKOTA, OR ANY OF THE RULES AND REGULATIONS SET OUT IN THIS RESOLUTION.
- (8) WHEN AN APPLICATION HAS BEEN FILED CONTAINING STATEMENTS OR INFORMATION KNOWN TO THE APPLICANT TO BE FALSE.

WHEN ANY LICENSE IS TERMINATED OR REVOKED FOR CAUSE, OR THE LICENSEE VOLUNTARILY CEASES BUSINESS, NO PART OR PORTION OF THE LICENSE FEE PREVIOUSLY PAID TO SARGENT COUNTY, SHALL BE RETURNED TO THE LICENSEE OR THOSE CLAIMING UNDER HIM.

ANY LICENSE ISSUED UNDER THIS RESOLUTION MAY BE REVOKED AT ANY TIME BY THE COUNTY COMMISSIONERS OF SARGENT COUNTY FOR CAUSE; THEIR DECISION AS TO WHAT SHALL CONSTITUTE SUFFICIENT CAUSE SHALL BE FINAL SUBJECT ONLY TO REVIEW BY THE COURTS OF THIS STATE. UPON REVOCATION OF ANY LICENSE, THE COUNTY AUDITOR SHALL FORTHWITH CAUSE WRITTEN NOTICE OF SUCH REVOCATION TO BE SERVED UPON THE LICENSEE WITHIN TEN DAYS IN THE MANNER PROVIDED BY LAW FOR THE SERVICE OF A SUMMONS. THE LICENSEE MUST SUSPEND BUSINESS OR BE SUBJECT TO PROSECUTION FOR SELLING LIQUOR WITHOUT A LICENSE AFTER THE DATE OF SERVICE.

A COPY OF THIS RESOLUTION, TOGETHER WITH ANY AMENDMENTS THEREOF MUST BE FURNISHED EACH LICENSEE WHEN RECEIVING HIS LICENSE, AND UPON ACCEPTING THE SAID LICENSE, THE LICENSEE AGREES TO ABIDE BY EACH AND EVERY RULE AND REGULATION HEREIN CONTAINED.

SECTION 19. DISPOSITION OF LICENSE FEES. ALL LICENSE FEES COLLECTED BY THE COUNTY AUDITOR SHALL BE ACCOUNTED FOR AND DELIVERED TO THE COUNTY TREASURER OF SARGENT COUNTY AND CREDITED TO THE GENERAL FUND OF THE COUNTY.

SECTION 20. INSPECTION OF LICENSED PREMISES TO BE ALLOWED CERTAIN OFFICIALS. THE LICENSEE ACCEPTS THE LICENSE PRIVILEGES UPON CONDITION WHICH NEED NOT BE ELSEWHERE EXPRESSED, THAT THE SHERIFF, THE COUNTY BOARD OF HEALTH, THE BOARD OF COUNTY COMMISSIONERS, OR ANY MEMBER THEREOF, OR ANY PEACE OFFICER OF THIS STATE MAY AT ANY TIME ENTER UPON THE PREMISES LICENSED FOR THE PURPOSE OF POLICE INSPECTION OR TO DETERMINE WHETHER THE PREMISES LICENSED ARE BEING CONDUCTED IN COMPLIANCE WITH THE TERMS OF THIS RESOLUTION AND WITH THE LAWS OF THE STATE OF NORTH DAKOTA.

SECTION 21. PARTITIONS, SCREENS, ETC. NOT ALLOWED. NO LICENSEE SHALL CONSTRUCT, MAINTAIN OR SUFFER OR CAUSE TO BE CONSTRUCTED OR MAINTAINED, ANY SIDE ROOM, CLOSED BOOTH OR OTHER SCREENED ENCLOSURE IN THE PLACE OF BUSINESS LICENSED, NOR ANY SCREEN PARTITION, CURTAIN, BLIND, OR OBSTRUCTION OF ANY KIND PREVENTING A CLEAR VIEW AT ALL TIMES OF ALL PARTS OF THE INTERIOR OF THE PREMISES LICENSED; PROVIDED, HOWEVER, THAT PARTITIONS, SUBDIVISIONS, PANELS AND BOOTHS, NOT HIGHER THAN FORTY (40) INCHES FROM THE FLOOR MAY BE CONSTRUCTED AS NOT IN CONFLICT WITH THE FOREGOING; AND THAT SAID LICENSEE SHALL AT ALL TIMES CONDUCT AND MAINTAIN HIS PLACE IN A CLEAN, ORDERLY AND

RESPECTABLE MANNER, AND AT ALL TIMES WHEN OPEN FOR BUSINESS, THE ROOM IN WHICH LIQUOR OR BEER IS SOLD AND DISPENSED, SHALL BE WELL LIGHTED.

SECTION 22. TOILETS AND LAVATORIES. LICENSED PREMISES MUST BE EQUIPPED WITH ADEQUATE AND SUFFICIENT LAVATORY AND TOILET FACILITIES, SEPARATELY MAINTAINED FOR MEN AND WOMEN AND KEPT IN A CLEAN AND SANITARY CONDITION.

SECTION 23. POLICE POWERS DEFINED. THIS RESOLUTION IS HEREBY DECLARED TO BE AN EXERCISE OF THE POLICE POWERS CONFERRED UPON THE COUNTY COMMISSIONERS BY THE LIQUOR CONTROL ACT, AFFECTING AND DESIGNED TO PROMOTE THE PEACE, SAFETY, GOOD ORDER, HEALTH, MORALS AND WELL BEING OF THE PEOPLE OF THIS COUNTY. THIS RESOLUTION SHALL APPLY TO ALL TERRITORY LYING WITHIN THE BOUNDARIES OF THIS COUNTY, BUT OUTSIDE THE CORPORATE LIMITS OF THE CITIES AND VILLAGES OF THIS COUNTY.

SECTION 24. PENALTIES. ANY PERSON, VIOLATING ANY OF THE PROVISIONS OF THIS RESOLUTION SHALL FORTHWITH AND SUMMARILY FORFEIT HIS LICENSE AND SUSPEND BUSINESS, AS HEREINBEFORE PROVIDED, SUBJECT ONLY TO APPEAL TO THE COURTS OF THIS STATE.

SECTION 25. ILLEGAL PORTIONS OF RESOLUTION SHALL NOT AFFECT VALIDITY OF REMAINDER. IF ANY PORTION OF THIS RESOLUTION IS ADJUDGED UNCONSTITUTIONAL OR CONTRARY TO THE LAWS OF THIS STATE, SUCH FACT SHALL NOT INVALIDATE THE REMAINING PORTIONS OF THIS RESOLUTION, IT BEING HEREBY DECLARED THAT THE REMAINING PORTIONS OF THIS RESOLUTION WOULD HAVE BEEN ADOPTED NOTWITHSTANDING THE INVALID PORTIONS THEREOF.

SECTION 26. RESOLUTION EFFECTIVE WHEN. THIS RESOLUTION SHALL TAKE EFFECT AND BE IN FORCE ON JANUARY, 1, 1966.

COMMISSIONER HOFLEN SECONDED THE RESOLUTION. ON ROLL CALL VOTE COMMISSIONERS BRUNS, ENGE, HOFLEN AND SMITH VOTED AYE. NO ONE VOTED NAY AND THE RESOLUTION WAS DECLARED CARRIED AND ADOPTED.

COMMISSIONER HOFLEN MOVED THAT THE FOLLOWING APPLICATIONS TO SELL HARD LIQUOR "ON & OFF SALE" AND TO SELL BEER "ON & OFF SALE" BE APPROVED AND LICENSE ISSUED TO SAME.

ROMAN WALDERA, ON LOTS 21-22, BLOCK 8, VILLAGE OF GENESEE FOR THE PERIOD BEGINNING JANUARY 1ST, 1966 AND ENDING DECEMBER 31ST, 1966.

HERMAN T GRAY, ON LOTS 2 & 3, BLOCK 2, VILLAGE OF CRETE FOR THE PERIOD BEGINNING JANUARY 1ST, 1966 AND ENDING DECEMBER 31ST, 1966.

CLEMENTINE A. SEVERSON, ON LOT 5, BLOCK 2, VILLAGE OF DELAMERE FOR THE PERIOD BEGINNING JANUARY 1ST, 1966 AND ENDING DECEMBER 31ST, 1966.

COMMISSIONER SMITH SECONDED THE MOTION AND SAME CARRIED.

COMMISSIONER BRUNS MOVED THAT THE BOARD ADJOURN TO 9:00 O'CLOCK A.M. JANUARY 4TH, 1966.
COMMISSIONER HOFLEN SECONDED THE MOTION AND SAME CARRIED.

ATTEST:

Ralph Seavert
RALPH SEAVERT
COUNTY AUDITOR

Palmer Enge
PALMER ENGE - CHAIRMAN