

GALESBURG | FRONT

ing blank checks,” Hoyer said. “That is my preference and not a statement of mistrust of the auditor.”

While attending the 2018 North Dakota League of Cities meeting, Hoyer said she talked at a table with Carol Ebertowski, city auditor of Minto, “who is a good friend of mine.”

Hoyer presented the Tribune a printout from an e-mail addressed to “whom it may concern” written by Levi Reese, who is an alderman on the Hillsboro City Commission and was also present at the League of Cities conference. The e-mail was written under the City of Hillsboro letterhead.

The text reads that Reese witnessed, “An individual that said she was the Mayor of Galesburg, North Dakota, asked about a auditor having the city information on their personal computer. The response from the director of the NDLC said it is ill-advised just because of open records, that anything they have on the personal computer could be searched at any time if requested.”

Reese continued, “This individual kept questioning like they had an agenda to possibly get rid of the

auditor, while in no way did she say this, it was just an impression that I received. She was slandering Deb as a untrustable individual and possibly that she is stealing money.”

The e-mail from Reese said he has known Nobliski for years and “that in no way would she be doing anything to hide information intentionally from anyone.”

Hoyer told the Tribune, “I never said anything about stealing or embezzling,” in her conversation with Ebertowski.

Hoyer said that Nobliski “became very stand-offish on the phone but would not tell my why.”

Nobliski had informed the Galesburg City Council that she could no longer attend monthly Monday meetings because of a job conflict. For the November meeting, Hoyer asked Kelly Archambeau, who lives outside Galesburg city limits, to come to the Nov. 5 Monday meeting and take minutes.

Archambeau told the Tribune that Galesburg alderman John Hopkins entered “with a file folder in his hand. You could tell when he walked in that he was mad. He looked at me

and said, ‘I’m closing this meeting. You have to leave.’ He stuck a sign on the door and that was that.”

Hoyer said the meeting entered into an executive session that excluded her and was closed to the public. Afterward, Hoyer says that Hopkins “flashed” a petition in front of her.

“I could only see the bottom half, which had some signatures,” Hoyer told the Tribune.

When she asked to see the full petition, Hopkins refused. According to Hoyer, Hopkins accused her of slandering Nobliski and accusing her of stealing money.

Hoyer was then told by Hopkins to sign a letter of resignation “or he would go to every house in Galesburg to get signatures to have me recalled.”

Hoyer said, “I did sign that paper under threat. I couldn’t even think straight. I was so riled up, I couldn’t focus.”

Two weeks later in a note sent to Hoyer’s husband, Hopkins said, “There was no violence or force used. There were only facts presented about the material and how the material would be handled moving

forward.”

Hopkins also defended the special meeting.

In accordance with the North Dakota Attorney General’s guidelines for open meetings, due to the content that was discussed in this meeting and it being confidential material, it cannot be legally given out to the general public and is not public information.”

Hopkins said the recall petition is also confidential material.

The Tribune contacted attorney Jack McDonald regarding the special meeting and the recall petition. He responded that in his opinion, nothing was done legally.

“First, to oust a duly elected mayor, you need to circulate recall petitions, get enough signatures, submit them to the county auditor, and then a recall election is held. At that recall election there also needs to be someone running for the position.”

McDonald continued, “Secondly, there was nothing that would allow for a closed meeting of the council, and the closure wasn’t done legally either. I don’t know how a meeting could be called or held without the

mayor knowing about it or being present. The petition is not a public document until it is filed somewhere, so it is probably not a public document unless it became a part of the council proceedings. Then it would be a public document.”

When contacted by the Tribune, Jeff Voltz, appointed mayor, said a formal vote wasn’t taken by the council asking Hoyer to resign.

“The whole body, I guess, agreed on it,” Voltz said. “It all happened so fast, I don’t recall.”

Voltz later said, “This is a small town. We’re trying to make things work. She didn’t. There was a difference of opinion. She was asked. She did.”

Hoyer feels she was lied about and removed from office illegally. She said she is planning to rescind her resignation and that she is seeking legal counsel.

The Galesburg City Council is scheduled to convene at 6 p.m. Sunday, Dec. 16 in the Galesburg Community Center.

DAKOTA DATEBOOK:

Kelley’s Firsts
by Merry Helm

Dec. 17: Arthur Wellesley Kelley was born in New Brunswick on this date in 1832. Forty years and one week later, he became the first postmaster of Jamestown, N.D., of which he was the first settler. And the first merchant. And owner of the first general store.

Kelley’s first view of what would become Jamestown was on May 9, 1872. He had been in a partnership dealing in the hay and wood business at Fort Totten for five years. Now he wanted to strike out on his own. He had heard the railroad was approaching the James River valley and decided to have a look.

Kelley liked what he saw and headed back to Fort Totten for his merchandise and livestock. When he returned to the valley a month later, graders were at work, and track-layers were approaching. The military arrived the same day that Kelley set up his camp. Soldiers created Fort Seward, and Kelley created a tent store.

When Kelley felt his little store was well enough established, he left it with a temporary manager and went back to Fort Totten to get his wife, Frances, and their two children – Horatio, 12, and Jennie, six. They were the first children in the new little village called Jamestown.

Jennie later talked about what it was like when they arrived in the summer of 1872: “To my childish eyes, it was a vision of fairyland. On the bluffs west of the river, the campfires of the soldiers were burning brightly, while in the valley below, the twinkling lights of the town gleamed merrily through the darkness.”

The Kelleys lived in a tent for six months until their one-room log cabin was built. The town now consisted of many other businesses operating in tents – three hotels, several saloons and three general stores were all located on the west bank of the river where the Anne Carlsen school now stands. By Christmas, Kelley was named postmaster, and he distributed the mail from his store.

Arthur and Frances sold peanut butter, ker-

osene and vinegar in bulk. Apples and crackers were sold from barrels, and sugar, flour and coffee beans were sold in 100-pound sacks. They also sold five- and ten-pound pails of syrup. Out front on the sidewalk, the Kelleys encouraged farm trade by selling hay bales.

When Fort Seward closed five years later, Kelley salvaged timbers from one of the buildings and built an impressive new building called the Capital House.

Kelley was the town’s first notary public, which led to yet another of his firsts – he officiated over the town’s first marriage ceremony – a wedding between a soldier named Gillespie and a Miss Bowden.

Jennie later talked about how she and her brother loved running on the prairie. They grew up with the town and went to school with the military kids. She also talked about their Native American neighbors and said there was a friendliness between them and the early white settlers. On one occasion, Mrs. Kelley came in to the house to find her husband sitting on the floor smoking a pipe of peace with eleven Indian visitors.

Frances died in 1908, and Arthur followed fourteen days later. They had been married for 36 years. Their children and grandchildren carried on in their place, with Arthur Kelley II running a grocery store in the tradition of his grandparents until 1936 – including hay bales on the sidewalk.

Bachelor of Ugliness
Campaign
by Merry Helm

Dec. 18: In December 1913, the Fargo Forum reported, “What promises to be the greatest social affair of the year at the YMCA is the mammoth Bachelor of Ugliness contest to be conducted on New Years day. Already the members are...putting forth every effort to have the greatest laughing feast of the season...The dormitory men, gymnasium men, men in the night educational classes, gas tractor school men and old boys are holding...conventions to

nominate their candidate.”

That night, gunshots and screams woke the “dormitory men.” In the ensuing chaos, a wounded boy was found with blood oozing from his mouth. When everybody was sufficiently shocked, another boy burst out laughing and officially declared the fake casualty was his nominee for the Bachelor of Ugliness degree.

Merton Utgaard’s
Band Camp
by Merry Helm

Dec. 19: If you went to International Music Camp between 1956 and 1983, you most definitely remember the tall, silver-haired gentleman who ran the show – he was Merton Utgaard, the camp’s founder. He was born in Maddock in 1914, and today marks the anniversary of his death.

Experiencing Dr. Utgaard as a music conductor was at once terrifying and awe-inspiring. Tryouts were torture. Joe Alme, the camp’s present administrator, recalls summer, 1963: “My first three days at camp were the worst of my life. I sat last chair trombone that first year. I discovered how little I knew, but by Thursday, I was totally hooked. Dr. Utgaard’s expectations were high, and he knew what he wanted. He had a look that could kill and a ‘wink’ that made you proud, and inspired you to work even harder. There has never been anyone else like him.”

The basic daily schedule has not changed since the camp opened in 1956, but it wasn’t all smooth sailing. His daughter Karen says, “The first year, the student housing stood in a field of dirt that quickly became mud on opening day. Everyone took off their shoes and socks and trudged through the rain to the dorms. Only the water wasn’t working, so we had to wash our muddy feet in the toilets. It took a couple of days before there was HOT water, and it rained almost all week. Afterwards, Dad thought that he had seen the last of the music camp he had envisioned for so many years.”

Luckily, Dr. Utgaard’s worries were unfounded, and the camp became a tremendous success. At least 100,000 young artists from 67 nations have attended IMC since then, and Utgaard became recognized the world over for

his vision and tireless dedication.

About his own career, Alme now says, “There is no doubt that I made music education my career because of Dr. Utgaard and the influence of his work. There are literally hundreds of others who attended IMC who feel the same way.”

“Dad was one of those people who felt if you wanted to do something, you just did it,” his daughter says. “A story my mother once told me was when Dad was living in Valley City working toward becoming an Eagle Scout, and he needed just one more merit badge in swimming. For some reason he missed the test, and the water was now too cold in the river. So he decided to go to Fargo to the YMCA to be tested. He didn’t have a car, and neither did his folks, so he hitch-hiked. Before he had gone too far, a big car stopped and offered him a ride. Bill Langer, a North Dakota politician, gave him a ride to Fargo. His fee was for Dad to ask his folks to vote for him.”

Dr. Utgaard’s passion was evident in almost everything he did. “He had always wanted a sailboat,” Karen remembers, “but he was really not very good at sailing. He finally got his own sailboat late in life and loved to sail on Lake Metigoshe. Those of us who went with him called it ‘getting out of the weeds,’ but that didn’t discourage him in the least.

He also spent hours talking to people all over the world on his ham radio. A few times he got to help out in emergencies when phone lines were out. I also remember studying Morse Code. I’m not sure why we were all learning it, but it was a family event. He said you never know when it might come in handy.”

Dr. Utgaard was honored with a host of well-deserved awards over his lifetime, but some would like to see him receive the Rough Rider Award as well. And there’s probably a terrific band somewhere that would love to play for the celebration...

“Dakota Datebook” is a radio series from Prairie Public in partnership with the State Historical Society of North Dakota and with funding from the North Dakota Humanities Council. See all the Dakota Datebooks at prairiepublic.org, or subscribe to the “Dakota Datebook” podcast.

Summons

STATE OF NORTH DAKOTA IN DISTRICT COURT
COUNTY OF TRAIL EAST CENTRAL JUDICIAL DISTRICT

QUICKEN LOANS INC.,)
Plaintiff,) Civil No. 49-2018-CV-00026

vs.)
SUMMONS

Winona Stroble-Harvey)
aka Winona E Stroble,)
any person in possession)
Defendants.)

THE STATE OF NORTH DAKOTA TO THE ABOVE NAMED DEFENDANTS:

1. You are hereby summoned to appear and defend against the Complaint in this action, which has been filed with the Clerk of Court and is herewith served upon you, by serving upon the undersigned a copy of an Answer or other proper response within twenty-one (21) days after the service of this Summons upon you, exclusive of the day of service. If you fail to do so, Judgment by default will be taken against you for the relief demanded in the Complaint. The original Complaint is filed with the Clerk of the District Court in the County in which this action is commenced.

2. This action relates to the foreclosure of a mortgage upon the following described real property in the County of Traill, State of North Dakota:
Land Situated in the City of Mayville in the County of Traill in the State of ND: The East 75 feet of Lots Two (2), Three (3), Four (4), and Five (5), in Block Four (4) of the Replat of Goodman’s Addition to Mayville, according to the Plat filed in Book “E” of Plats, Page 169; from and since the platting of said Addition. Commonly known as: 131 5th Ave SE, Mayville, ND 58257

3. The Plaintiff is not seeking a personal judgment against the above-named Defendants.

Dated March 7, 2018.
MACKOFF KELLOGG LAW FIRM
Attorneys for the Plaintiff
Office and Post Office Address:
38 Second Avenue East
Dickinson, North Dakota 58601
Tel: (701) 227-1841
Fax: (701) 225-6878
Email: hcrripe@mackoff.com

By: Haylee Cripe, Attorney
ND Bar ID #07241

THIS IS AN ATTEMPT TO COLLECT THE REFERENCED DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. THIS COMMUNICATION IS FROM A DEBT COLLECTOR.

Publish: December 15, 22, and 29, 2018

Court Report

Wednesday December 5, 2018

Christopher Thomas Sommer Jr., Devils Lake, N.D.-Possession of a controlled substance, marijuana. Misdemeanor B. Unsupervised probation. Fee totals: \$400. Traill County Jail term: 30 days. Suspended: 30 days. Probation: 360 days.

Possession of drug paraphernalia. Misdemeanor B. Unsupervised probation. Traill County Jail term: 30 days. Suspended: 30 days. Probation: 360 days.

Fraudulent practices in urine test. Misdemeanor A. Dismissed.

Modesta E. Cabrera, Mayville, N.D.-Issuing a no account check. Misdemeanor A. Deferred imposition of sentence. Unsupervised probation. Fee totals: \$47.75.

Timothy James Hanson, Fargo, N.D.-Possession of a controlled substance, marijuana. Misdemeanor B. Deferred imposition of sentence. Unsupervised probation. Fee totals:

\$250. Possession of drug paraphernalia. Misdemeanor B. Deferred imposition of sentence. Unsupervised probation.

Kylar James Kleppe, Horace, N.D.-Unlawful possession of drug paraphernalia-use-marijuana. Misdemeanor B. Deferred imposition of sentence. Unsupervised probation. Fee totals: \$250.

Publish: December 15, 2018



Notice to Creditors

IN EAST CENTRAL DISTRICT COURT, TRAILL COUNTY, NORTH DAKOTA

In the Matter of the Estate of Albert M. Hefta, Jr., Deceased Probate No. 49-2018-PR-00042

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 Kevin Cooper, personal representative of the estate, at 848 Center Ave. NE, Reynolds, ND 58275 or filed with the Court.

Dated this 30th day of November, 2018.

/s/ Kevin Cooper
Kevin Cooper
848 Center Ave. NE
Reynolds, ND 58275
Personal Representative

Jenna McPherson
Brudvik Law Office
Mayville, ND 58257
Attorneys for Personal Representative of the Estate

Publish: December 8, 15, and 22, 2018