



STATE OF NORTH DAKOTA  
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**OPEN RECORDS AND MEETINGS OPINION**  
**2024-O-02**

DATE ISSUED: January 3, 2024  
ISSUED TO: City of Mandan - Fire Department

**CITIZEN'S REQUEST FOR OPINION**

Karen Jordan requested an opinion from this office under N.D.C.C. § 44-04-21.1 asking whether the City of Mandan, specifically the Fire Chief, violated N.D.C.C. § 44-04-18 by failing to provide a copy of a record.

**FACTS PRESENTED**

On May 26 and June 26, 2022, Karen Jordan requested that the Mandan Fire Chief Steve Nardello provide a copy of his personal water bill.<sup>1</sup> Chief Nardello did not reply because he never received the emails she sent.<sup>2</sup>

**ISSUE**

Whether the City of Mandan Fire Chief violated the open records law by failing to provide a copy of his private water bill.

**ANALYSIS**

Any attorney general opinion issued under N.D.C.C. § 44-04-21.1, shall be based on the facts given by the public entity. According to the City of Mandan, Chief Nardello never received the emails from Mrs. Jordan.<sup>3</sup>

Even if Chief Nardello had received the emails requesting his personal water bills, his personal water bill is not a public record for the same reason explained in a recent opinion where Ms. Jordan requested the personal water bill of the Morton County State's Attorney.<sup>4</sup> As such, Chief Nardello had no duty to produce the requested water bill.

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<sup>1</sup> Email from Karen Jordan to snardello@nd.gov (May 26, 2022, 8:32 PM); E-mail from Karen Jordan to snardello@nd.gov (June 26, 2022, 10:48 PM).

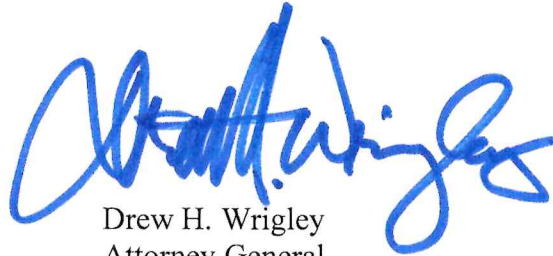
<sup>2</sup> Email from Jim Neubauer, City Adm'r, City of Mandan, to Mary Kae Kelsch, Dir. Gen. Couns. Div., Att'y Gen.'s Off. (Oct. 4, 2022, 8:46 AM).

<sup>3</sup> *Id.*

<sup>4</sup> N.D.A.G. 2023-O-07.

CONCLUSION

The City of Mandan, specifically the Fire Chief, did not violate the open records law when it did not provide a copy of the Fire Chief's personal water bill.



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cc: Karen Jordan