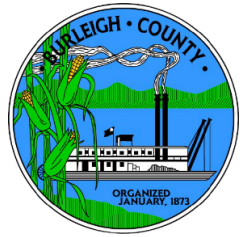




Lincoln, Fort Rice, Riverview, Florence Lake, Burnt Creek, Canfield, Lyman, & Phoenix  
Unorganized Townships



## Burleigh County Commission Meeting Agenda

Tom Baker Meeting Room, City/County Office Building, 221 N 5<sup>th</sup> St, Bismarck

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM |  
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**March 17, 2025**

**5:00 PM**

*Invocation and Pledge of Allegiance presented by Chaplain.*

### COUNTY COMMISSION

1. Meeting called to order.
2. Roll call of members.
3. Approval of Agenda.
4. Consideration of the December 16<sup>th</sup>, 2024, meeting minutes and March 3<sup>rd</sup>, 2025, meeting minutes and bills.
5. Consent Agenda:
  - a. Abatements.
6. **PUBLIC HEARING** regarding plan on redesignating elective office of Burleigh County Auditor/Treasurer to appointive office.
7. County Engineer Marcus Hall:
  - a. Developer Waiver request.
8. County States Attorney Julie Lawyer:
  - a. Salary variance request.
9. Discussion regarding Burleigh County Courthouse rental.
10. County Emergency Manager Mary Senger:
  - a. Consideration of Burn Restrictions.
11. Other Business.
12. Adjourn.

The next regularly scheduled Commission meeting will be on April 7<sup>th</sup>, 2025.

*Mark Splonskowski*

Burleigh County Auditor/Treasurer

**BURLEIGH COUNTY COMMISSION  
MEETING  
DECEMBER 16TH, 2024**

**5:00 PM** *Invocation by Chaplain and Pledge of Allegiance*

Chairman Bitner called the regular meeting of the Burleigh County Commission to order.

Roll call of the members: Commissioners Woodcox, Munson, Schwab, Bakken, and Chairman Bitner were present.

The following changes were made to the agenda:

- Item 10A was moved to after the consent agenda
- Item 6 became item 9
- Item 7 became item 6
- Item 9 became item 7
- The words CISA Report was added to item 10B

Motion by Comm. Bakken, 2<sup>nd</sup> by Comm. Munson to approve the meeting agenda. All members present voted "AYE". Motion carried.

Motion by Comm. Bakken, 2<sup>nd</sup> by Comm. Munson to table the December 2nd, 2024 meeting minutes in order to properly review a revised draft due to unnecessary language in original version. All members present voted, "AYE". Motion carried.

Motion by Comm. Schwab, 2<sup>nd</sup> by Comm. Munson to approve the December 16th, 2024 bills. All members present voted, "AYE". Motion carried.

The following abatements were presented for the Board's consideration; a complete copy of which are on file and available for inspection in the office of the Burleigh County Auditor/Treasurer.

<b>Owner</b>	<b>Tax Year</b>	<b>Legal Description</b>	<b>Credit Type</b>	<b>Current MV</b>	<b>Reduced MV</b>
Clayton & Mary Felchle	2023	Lot 18, Block 22, Wachter's 3rd	50% Homestead Credit	\$248,500	\$148,500
Clayton & Mary Felchle	2024	Lot 18, Block 22, Wachter's 3rd	50% Homestead Credit	\$266,400	\$166,400
Robert & Gayle Moyle	2024	S80' of Lots 15-18, Block 4, McKenzie's	50% Homestead Credit	\$294,300	\$194,300
Steven Blakely	2022	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	\$7,484	\$0
Steven Blakely	2023	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	\$7,983	\$0
Steven Blakely	2024	1976 Marshfield 66 x 14, VIN# 29553	Mobile home removed	\$7,983	\$0
Etta Schue	2024	Lot 11, Block 13, Register's 2nd	100% Homestead Credit	\$277,300	\$77,300
Robert & Jayme Holmberg	2024	Lot 10, Block 1, Horizon Heights 1st	50% Homestead Credit	\$357,000	\$257,000
Kevin & Christine Soule	2024	Block 21, Lounsberry Outlots, Beg pt 500' S & 180' E of NW corner, E 117' S 50' W 117' N 50' to beg	100% Homestead Credit	\$168,600	\$0

Motion by Comm. Munson, 2nd by Comm. Bakken to approve the Clayton & Mary Felchle (2), Robert & Gayle Moyle, Steven Blakely (3), Etta Schue, Robert & Jayme Holmberg, and Kevin & Christine Soule abatements and the remainder of the consent agenda. All members present voted "AYE". Motion carried.

Chairman Bitner gave an update on the CO2 pipeline situation, saying that attorneys representing Burleigh County have filed to the courts an appeal of the Public Service Commission decision to approve a pipeline permit to Summit Carbon Solutions within the designated timeframe required by the law. Discussion on Summit Carbon Solutions' CO2 pipeline was then continued from previous meeting(s). Chairman Bitner then once again opened the floor for public comment. Opinions about Summit and its pipeline were had and shared by Charles Tuttle, Tommy Collins, and Curtis Jundt.

John Fraase inquired of the Commission about the possibility of renaming the municipal courtroom in the county courthouse after former Judge William C. Severin of Bismarck, subsequently giving a presentation about Judge Severin's career and stated his favorability of such a memorial. Comm. Woodcox volunteered to work with Mr. Fraase to help the project along. Motion by Comm. Munson, 2nd by Comm. Bakken to rename the municipal courtroom in the county courthouse in honor of former Judge William C. Severin. Comm. Woodcox, Munson, and Bakken voted "AYE"; Comm. Schwab and Bitner voted "NAY". Motion carried.

Auditor/Treasurer Splonskowski presented to the Commission clarifications regarding the 2024 First Quarter investment report provided by County Finance Director Jacobs back on November 18<sup>th</sup>, 2024. The points of clarifications are as follows:

- Auditor/Treasurer Splonskowski stated that he believes the benchmarks used in Finance Director Jacobs' report did not follow the current investment policy in the Burleigh County Finance Manual. Jacobs' report had compared treasuries against CDs for example rather than comparing treasuries against treasuries, CDs against CDs, etc., as prescribed in the manual; the report's figures were also based solely on treasuries and had not included CDs or money markets.
- Auditor/Treasurer Splonskowski informed the Commission that the 2023 yield exceeded the budgeted yield by over \$100,000, and that as of August 2024, Burleigh County investments yielded \$1.1 million beyond what was budgeted. Based on Finance Director Jacobs' report & benchmark, the calculated loss in 2023 amounted to 0.0088 (9/10<sup>ths</sup> of 1%) and the loss of 2024's 1<sup>st</sup> quarter likewise amounted to 0.0018 (1/5<sup>th</sup> of 1%).
- Auditor/Treasurer Splonskowski stated to the Commission that on one or two of the investments made in 2024, both Finance Director Jacobs and Deputy Finance Director Schmidt agreed.
- The unmodified opinion of the 2023 annual Audit from the State's Auditor's Office was highlighted to show the Commission that no funds in Burleigh County were mishandled or misplaced.
- Auditor/Treasurer Splonskowski further stated that Finance Director Jacobs's report did not take into consideration the workforce issues and challenges effecting the Auditor/Treasurer's office. Multiple hirings and re-hirings took place within the Auditor/Treasurer's office across 2023. Furthermore, Splonskowski also explained that in 2024 the county Commission had transferred several duties historically held by the Finance Director over to his office but did not allow for the addition of new staff help disperse the workload (even removing a proposed accountant position in the Auditor/Treasurer's office during the 2025 preliminary budget). Paired with the office's standard election duties, the Auditor/Treasurer's office – and the Deputy Auditor/Treasurer in particular – suffered from overwork and was thus prevented from researching & pursuing better investment options.

Auditor/Treasurer Splonskowski ended by stating that his office exceeded the budgeted yields, and that a combination of improving internal processes, a continued adherence to North Dakota century code, and the addition of new staff to the Auditor/Treasurer's office would greatly help the investment process for Burleigh County.

Tommy Collins approached the podium to express her opinions on Auditor/Treasurer Splonskowski's clarifications.

Splonskowski presented to the Commission a recap on the November 5<sup>th</sup>, 2024, general election. Elections Coordinator Hart resigned during the general election process, her duties were reallocated within the office and members of the Auditor/Treasurer's office took on more responsibilities to keep the process going. The Secretary of State's office assisted the Auditor/Treasurer's office in finding, correcting, and noting mistakes to prevent them from happening again, and other departments within Burleigh County lent available staff to the Auditor/Treasurer's office to assist in daily election operations. Splonskowski informed the Commission that there were 52,866 ballots cast in total throughout the course of the general election,

which included 9,637 absentee votes, 19,065 early votes, and 24,164 votes cast on Election Day. Overall, Burleigh County saw a 69.9 percent voter turnout, which beat the statewide turnout of 62.61 percent.

Finance Director Jacobs addressed a couple of points before his items. Firstly, he stated that he took exception to any implications/accusations of unethical behavior on his part, and secondly, Finance Director Jacobs rebutted an earlier point made by Auditor/Treasurer Splonskowski during his clarification presentation. Jacobs stated that in his report, he never claimed there was no turnover in the Auditor/Treasurer's office during the 2023 year; rather, he had stated that there was no turnover in the Deputy Auditor/Treasurer position specifically.

County Finance Director Jacobs gave an overview of both the 2023 Investment Report and the Q2 2024 & Q3 2024 Investment Returns. Jacobs stated that in 2023, Burleigh County underperformed the benchmark of a similar term investment in US treasuries by \$751,055. The Burleigh County Auditor/Treasurer is also responsible for investing Morton County's sales taxes – in 2023, Morton County underperformed the benchmark by \$77,800. Burleigh County underperformed in 2023 mainly due to failure to invest, failure to capitalize on rising rates, and poor investment choices. Jacobs gave the following figures for each quarter in 2024:

- In Q1 of 2024, Burleigh County underperformed by \$136,000, with Morton County underperforming by \$26,000.
- In Q2 of 2024, Burleigh County underperformed by \$168,000, with Morton County underperforming by \$19,000.
- In Q3 of 2024, Burleigh County underperformed by \$226,900, with Morton County underperforming by \$38,000.

Jacobs gave some clarification as to why the numbers in Q3 of 2024 were so high, the explanation being that Burleigh County at that time was engaged in some bond defeasance activity at the advice of the county's bidding agent. If one were to remove the bond defeasance activity from Q3 of 2024, Burleigh County would underperform by \$150,000, and Morton County would underperform by \$25,000. Burleigh County underperformed in 2024 mainly due to a failure to invest and poor investment choices. Jacobs then touched on a couple of examples of a failure to invest along with other issues in 2023 under both Auditor/Treasurer Splonskowski and the previous Auditor/Treasurer Leo Vetter. Jacobs stood for questions.

County States Attorney Lawyer notified the Commission that in September 2024, the Burleigh County victim/witness program was awarded \$110,285 in federal VOCA grants through the state of North Dakota for the period of October 1<sup>st</sup>, 2024 through September 30<sup>th</sup>, 2025. Lawyer also stated that in a memo on December 9<sup>th</sup>, 2024, the state of North Dakota allocated an additional \$50,715 in federal VOCA grants to the Burleigh County victim/witness program for the period of October 1<sup>st</sup>, 2024, through June 30<sup>th</sup>, 2025. No further action was taken.

States Attorney Lawyer then continued the discussion regarding the county's internal investigation within the Auditor/Treasurer's office, mainly regarding the topics of removing a position from office and converting an elected office into an appointed office. Lawyer presented a summary of laws related to removing a position from office, and then went into detail about how petition process works when a petition is submitted to the state governor's office by either the public or the States Attorney. Additionally, Lawyer gave more insight into the process of what the Commission needed to do according to state law when converting an elected office into an appointed one. Motion by Comm. Munson, 2nd by Comm. Bakken to table the item until the next meeting. All members present voted "AYE". Motion carried.

Chris Legenfelder, Charles Tuttle, Curtis Jundt, and Steve Nagel were allowed to express their opinions concerning States Attorney Lawyer's item on the investigation discussion.

Chairman Bitner gave a report regarding the county's standalone election computer. Before the election, the Secretary of State's office had discovered that Burleigh County's standalone election computer had been connected to the Internet. Since the Internet connection instantly compromised the computer's internal security and could call into question the integrity of future elections, it had to be removed from the county and returned to its vendor for recalibration. Bitner also highlighted a 'security assessment at first entry' report from August 1<sup>st</sup>, 2024, written by officials at CISA (Cybersecurity Infrastructure Security Administration) of the Department of Homeland Security. In it, the report mentioned potential issues with the county's standalone election computer.

The Commission then began reviewing for consideration applications of Auxiliary Board members. Positions were open in the following boards & committees: Bismarck Planning Commission for an ETA member (1), Burleigh County Housing Authority (1), Burleigh County Human Service Zone Board (1), Burleigh County Park Board (2), Burleigh County School District Reorganizational Board (3), Burleigh County Water Resource Board (2), and Missouri Valley Complex Committee for a

Junior/High School Rodeo Appointee (1). Motion by Comm. Munson, 2nd by Comm. Bakken to reappoint Trent Wangen to the Bismarck Planning Commission as an ETA member. All members present voted "AYE". Motion carried. Motion by Comm. Munson, 2nd by Comm. Bakken to reappoint Cynthia Chavez to the Burleigh County Housing Authority. All members present voted "AYE". Motion carried. Motion by Comm. Bakken, 2nd by Comm. Munson to appoint Keli Berglund to the Burleigh County Human Service Zone Board. All members present voted "AYE". Motion carried. Motion by Comm. Bakken, 2nd by Comm. Munson to reappoint Errol Behm and Jeffery Herman to the Burleigh County Park Board. All members present voted "AYE". Motion carried. Motion by Comm. Bakken, 2nd by Comm. Munson to table the positions for Burleigh County School District Reorganizational Board. All members present voted "AYE". Motion carried. Motion by Comm. Woodcox, 2nd by Comm. Munson to reappoint Roger Smith and appoint Chuck Mischel to the Burleigh County Water Resource Board. All members present voted "AYE". Motion carried. Motion by Comm. Bakken to table the Junior/High School Rodeo Appointee position on the Missouri Valley Complex Committee. A consensus was reached among the commissioners to table the Junior/High School Rodeo Appointee position on the Missouri Valley Complex Committee. No further action was taken.

County Engineer Hall presented to the Commission a pavement waiver request by a couple on Sandy River Drive. This request was essentially a reconsideration of a waiver which had been denied in 2016; the waiver had included a lot split and would've required both the reconstruction and paving of Fernwood Drive. Hall stated that he recommends approval of the current waiver (which will only do a lot split), with an added caveat which states that this approval doesn't preclude the county or township from coming back in the future and requiring the individuals to share in the cost associated with rebuilding Fernwood Drive. Motion by Comm. Bakken, 2nd by Comm. Woodcox to grant the waiver as recommended by Hall. All members present voted "AYE". Motion carried. Hall then began a discussion about the bridge located on 236th St SE, as the deteriorating condition of the bridge's timber deck, beams, and piling are an area of concern. The bridge has a current posted load of 10 tons. Hall stated that the county applied for federal bridge funds from the DOT in 2021 and were approved to receive funds by 2024; however, due to inflation the project and funds were pushed back to 2026. Hall proposed two options on how to tackle the issue. The first option would be to stay on schedule and replace the bridge in 2025, using local funds and tapping into reserve funds to pay for the bridge. The total estimated cost for replacing the bridge would lie between \$900,000 and \$1 million, and the bridge would be completed by the fall of 2025. The second option would be to wait an additional year for those federal funds from the DOT to arrive in 2026 (assuming there are no further delays). With this latter option, the county would be on the hook for only \$250,000 in local funds and the bridge would be completed by the fall of 2026. Hall also highlighted a major concern that the county at some point might need to close the bridge, which would greatly affect the people living in that area due to the bridge being on an important route. A detour route has already been planned and prepared, but all three legs of the detour would need some extra work to be more efficient and safer. Motion by Comm. Munson, 2nd by Comm. Schwab to go with option one and stay on schedule to replace the bridge. All members present voted "AYE". Motion carried.

Meeting Adjourned.

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Mark Splonskowski, County Auditor/Treasurer

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Brian Bitner, Chairman

**BURLEIGH COUNTY COMMISSION  
MEETING MINUTES  
MARCH 3<sup>rd</sup>, 2025**

**5:00 PM** *Invocation by Chaplain and Pledge of Allegiance*

Chairman Bitner called the regular meeting of the Burleigh County Commission to order.

Roll call of the members: Commissioners Bakken, Munson, Schwab, Woodcox, and Chairman Bitner present.

Motion by Comm. Bakken, 2<sup>nd</sup> by Comm. Munson to approve the meeting agenda with item 7 and 11 being moved to after the consent agenda. All members present voted 'AYE'. Motion carried.

Chair Bitner listed the following meeting minutes which still needed approval; December 16<sup>th</sup>, 2024, and February 19<sup>th</sup>, 2025 meeting minutes as well as the approval of the bills.

- Motion by Comm. Bakken, 2<sup>nd</sup> by Comm. Woodcox to approve the bills pending clarification of one of the signatures. All members present voted 'AYE'. Motion carried.
- Motion by Comm. Woodcox, 2<sup>nd</sup> by Comm. Munson to approve the February 19<sup>th</sup>, 2025 meeting minutes. All members present voted 'AYE'. Motion carried.
- Discussion of the December 16<sup>th</sup>, 2024 meeting minutes was had. Comm. Schwab stated that the minutes, under bullet point four on page two, was missing a reference to \$3,700,000 that was moved off books at the Bank of North Dakota in the 2023 audit findings. Motion by Comm. Bakken, 2<sup>nd</sup> by Comm. Munson to table the December 16<sup>th</sup>, 2024 meeting minutes to research Comm. Schwab's statement. All members present voted 'AYE'. Motion carried. Chair Bitner requested clarification on the second bullet point on the second page regarding the .0088 and .0018 percentage point loss calculations.

The following abatements were presented for the Board's consideration; a complete copy of which are on file and available for inspection in the office of the Burleigh County Auditor/Treasurer.

Owner	Tax Year	Legal Description	Credit Type	Current MV	Reduced MV
Austin Vilardi & Aubrey Tocci	2024	Lot 3, Block 3, Wheatland Hills 2nd	70% Disabled Veteran	\$329,000	\$276,500
William Teply	2024	Lot 15, Block 2, Eastside Heights	100% Disabled Veteran	\$383,600	\$203,600
Eugene & Carlotta Kostelecky	2024	Lot 28, Block 20, Homan Acres 6th	80% Disabled Veteran	\$163,700	\$145,700
Troy & Kayla Skelton	2024	Lot 3, Block 1, Replat Lots 14-23, Block 1, the Pointe	80% Disabled Veteran	\$392,100	\$356,100
Astrid Senger	2024	Lot 7, Block 1, North Hills 13th	100% Disabled Veteran	\$413,700	\$233,700

Timothy & Angela Wicks	2024	Lot 8, Block 2, Rplt Lot 10 Blk 1 North Hills 1st	100% Disabled Veteran	\$339,800	\$159,800
Lutene Roth	2023	Lot 16, Block 6, Tatley Meadows VI	100% Homestead Credit	\$305,300	\$105,300
Lutene Roth	2024	Lot 16, Block 6, Tatley Meadows VI	50% Homestead Credit	\$308,100	\$208,100
Ronald & Carol Bodine	2024	Unit 3 Mapleton Place Condos, Aud Lot 1634 of Lot 2, Block 2, Pebble Creek Addn	50% Homestead Credit	\$193,700	\$96,850
Stephen & Bridget Hillerud	2024	Unit 2 2305 Pointe Loop Condos, W 128' of Lot 1, Block 7, the Pointe	Error in property description	\$329,700	\$299,200
Curtis & Beverly Goehring	2024	Lot 31, Block 1, Apple Valley	100% Homestead Credit	\$175,200	\$0
Milton & Shirley Wagner	2023	Unit 4 Bldg 3313 3313/3327 Arrow Head Ranch Condos, Lots 7-8, Block 1, Pebble Creek 10th	100% Homestead Credit	\$319,400	\$119,400
Milton & Shirley Wagner	2024	Unit 4 Bldg 3313 3313/3327 Arrow Head Ranch Condos, Lots 7-8, Block 1, Pebble Creek 10th	100% Homestead Credit	\$333,600	\$113,600
Monte & Linda Tausend	2024	Lot 6, Block 3, Fort Lincoln Est #1	50% Homestead Credit	\$222,800	\$122,800
Paul & Julie Fornshell	2024	S240' of the E363' of Lot 1, Block 1, Steer	Farm residence exemption	\$340,400	\$40,000
Ramona Hendricks	2024	Lot 2, Block 5, Meadow Valley 2nd	100% Homestead Credit	\$235,300	\$35,300
Cheri Schulz	2023	Lot 28, Block 4, Wachter's 7th	50% Homestead Credit	\$261,700	\$161,700
Cheri Schulz	2024	Lot 28, Block 4, Wachter's 7th	50% Homestead Credit	\$261,200	\$227,867
Elizabeth Lynnell Strothman	2023	Lot 13, Block 3, Country West II	100% Homestead Credit	\$365,400	\$165,400
Elizabeth Lynnell Strothman	2024	Lot 13, Block 3, Country West II	100% Homestead Credit	\$375,200	\$175,200
Anthony & Diane Rothacker	2024	Lot 2, Block 1, Ridgefield	100% Disabled Veteran	\$310,700	\$130,700
Rita Schmidt	2024	Lot 1, Block 2, Parkview	100% Homestead Credit	\$125,300	\$0
Thomas & Agnes Salwei	2024	Lot 31, Block 2, Copper Ridge	50% Homestead Credit	\$385,100	\$285,100



Patricia Stoxen	2024	Lots 10-11, Block 76, McKenzie & Coffin's	50% Homestead Credit	\$265,300	\$165,300
Larry & Adela Roller	2023	Lot 8 & 10' vacated alley adj, Block 8, Replat of Calkins	50% Homestead Credit	\$207,300	\$107,300
Larry & Adela Roller	2024	Lot 8 & 10' vacated alley adj, Block 8, Replat of Calkins	50% Homestead Credit	\$213,300	\$113,300
Dennis & Kay Berg	2024	Lot 22, Block 5, Cottonwood Parkview Addn	50% Homestead Credit	\$308,600	\$208,600
Alan & Kathy Chmielewski	2023	Lot 5, pt of Lot 6 beg SW cor of Lot 6 E 11', Nly 120.81' to NW cor Swly along W line 122.58', Block 5, Stein's 1st	50% Homestead Credit	\$270,700	\$170,700
Alan & Kathy Chmielewski	2024	Lot 5, pt of Lot 6 beg SW cor of Lot 6 E 11', Nly 120.81' to NW cor Swly along W line 122.58', Block 5, Stein's 1st	50% Homestead Credit	\$288,900	\$188,900
Sherwin & Cathy Nelson	2024	Lot 11, Block 25, Wachter's 9th	50% Homestead Credit	\$351,900	\$251,900
Vicki Schmidt	2024	2008 Four Seasons 28 x 68, ser#F5218498	50% Homestead Credit	\$110,146	\$55,073
Vicki Schmidt	2025	2008 Four Seasons 28 x 68, ser#F5218498	50% Homestead Credit	\$105,196	\$52,598
Linda Houston	2023	Unit 7 & garage unit G-7 Fox Hill Condos, Lot 1, Block 1, Replat L10 B1 North Hills 1st	100% Homestead Credit	\$82,700	\$0
Linda Houston	2024	Unit 7 & garage unit G-7 Fox Hill Condos, Lot 1, Block 1, Replat L10 B1 North Hills 1st	100% Homestead Credit	\$82,800	\$0
William Miller	2023	Lot 6, Block 1, Prom Point IV 2nd Replat	50% Homestead Credit	\$557,700	\$507,700
William Miller	2024	Lot 6, Block 1, Prom Point IV 2nd Replat	50% Homestead Credit	\$559,100	\$509,100
Patricia Stoxen	2023	Lots 10-11, Block 76, McKenzie & Coffin's	50% Homestead Credit	\$254,800	\$154,800
Sheila Steckler	2024	Lot 10 less S WLY 20', Block 1, Rolling Hills 2nd	50% Homestead Credit	\$243,100	\$143,100
Dianne Moch	2024	Lot 7, Block 2, North Lincoln 2nd	50% Homestead Credit	\$277,200	\$177,200
Tony & Julie Gratz	2025	1972 Detroit 64 x 14	Mobile home removed 10/17/2024	\$6,881	\$0
Bernice Fuchs	2024	Lots 9-10, Block 26, Sturgis	100% Homestead Credit	\$209,600	\$9,600

Gary Hayes	2023	Lot 8, Block 5, Prairie Hills	50% Homestead Credit	\$236,000	\$136,000
Dennis Boknecht	2024	W 100' Lots 31-32, Block 68, McKenzie & Coffin's	50% Homestead Credit	\$147,900	\$73,950
Celia Lindquist	2023	Unit 110 Pinecrest Condo, Lots 9-12 & W 10.2' of Lot 13, Block 14, Wachter's 2nd	100% Homestead Credit	\$105,800	\$0
Celia Lindquist	2024	Unit 110 Pinecrest Condo, Lots 9-12 & W 10.2' of Lot 13, Block 14, Wachter's 2nd	100% Homestead Credit	\$105,700	\$0

Motion by Comm. Munson, 2<sup>nd</sup> by Comm. Bakken to approve the Austin Vilardi & Aubrey Tocci, William Teply, Eugene & Carlotta Kostelecky, Troy & Kayla Skelton, Astrid Senger, Timothy & Angela Wicks, Lutene Roth, Ronald & Carol Bodine, Stephen & Bridget Hillerud, Curtis & Beverly Goehring, Milton & Shirley Wagner, Monte & Linda Tausend, Paul & Julie Fornshell, Ramona Hendricks, Cheri Schulz, Elizabeth Lynnell Strothman, Anthony & Diane Rothacker, Rita Schmidt, Thomas & Agnes Salwei, Patricia Stoxen, Larry & Adela Roller, Dennis & Kay Berg, Alan & Kathy Chmielewski, Sherwin & Cathy Nelson, Vicki Schmidt, Linda Houston, William Miller, Patricia Stoxen, Sheila Steckler, Dianne Moch, Tony & Julie Gratz, Bernice Fuchs, Gary Hayes, Dennis Boknecht, and Celia Lindquist abatements and the consent agenda in its entirety. All members present voted 'AYE'. Motion carried.

Bismarck Parks & Recreation Operations Director David Mayer presented the companion agreement between Bismarck Parks & Recreation and Burleigh County regarding the South Washington Street Trail project. Motion by Comm. Munson, 2<sup>nd</sup> by Comm. Bakken to approve the companion agreement. Chair Bitner, Comm. Bakken, Comm. Munson, and Comm. Schwab all voted 'AYE'. Comm. Woodcox voted 'NAY'. Motion carried.

County Sheriff Leben requested approval to go out for bids for the Burleigh East renovation project. Chair Bitner recused himself of the discussion and handed the discussion to Vice-Chair Bakken. Jeff Ubl of Ubl Design Group, the architect of the Burleigh East renovation project, was present to answer any questions from the Commission. Comm. Woodcox asked if there was an engineer's estimate on the project to which Ubl responded that they are currently working on it and they have different changeable options built in depending on the costs they come up with. Motion by Comm. Munson, 2<sup>nd</sup> by Comm. Woodcox to approve the request to go out for bids on the Burleigh East renovation project. Vice-Chair Bakken, Comm. Woodcox, Comm. Munson voted 'AYE'. Comm. Schwab voted 'NAY'. Chair Bitner abstained. Motion carried. Vice-Chair Bakken handed the meeting back to Chair Bitner.

Chair Bitner started the public hearing regarding the plan on redesignating the elective office of Burleigh County Auditor/Treasurer to appointive office and handed the meeting over to Vice-Chair Bakken.

- Vice-Chair Bakken read the responsibilities of the Auditor and Treasure from the North Dakota Century Code; NDCC 11-13 for the County Auditor and NDCC 11-14 for the County Treasurer.

- Vice-Chair Bakken gave the Commission an opportunity to speak if they had any concerns or opinions to share. Comm. Munson spoke on his concerns with County Auditor/Treasurer Splonskowski's performance as Chief Elections Officer, as the manager of the office of Auditor/Treasurer/Tax Equalization, as Chief Financial Officer, and as a coordinator with other agencies as the clerk for the County Commission. Comm. Schwab spoke on his concerns with the lawsuit Splonskowski pursued on absentee voting, a situation during the primary election regarding twin's votes, and Splonskowski's dislike of the size of the investment policy of the County. Comm. Woodcox stated that the Auditor/Treasurer would serve out his term and looking forward, the County deserves better.
- Vice-Chair Bakken opened the public hearing to the public for comment. John Fraase, Greg Heilman, Laurie Holverson, Kay Jarratt, Austin Lengenfelder, Kris Lengenfelder, Luke Lengenfelder, Matt Lengenfelder, Patrick Lengenfelder, Timm Mattson, Steve Nagel, Kip Rath, Coty Sicble, Ryan Subart, and Michael Walsh all spoke against the Auditor/Treasurer position becoming an appointed position. Curtis Jundt and Claus Lembke both spoke in favor of the Auditor/Treasurer position becoming an appointed position. John Berger, Dustin Gawrylow, and Marsha Lembke all spoke as undecided regarding the Auditor/Treasurer position becoming an appointed position. Vice-Chair Bakken invited Auditor/Treasurer Splonskowski to speak. Splonskowski spoke regarding investments and reaching out to meet with banks, the changing dynamics of his office, and that himself and the Commission needing to work together and are here to serve the people of Burleigh County. Vice-Chair Bakken closed the public hearing.
- Vice-Chair Bakken noted that the next public hearings will be March 17<sup>th</sup>, 2025 and April 7<sup>th</sup>, 2025 during the regularly scheduled meetings and dates for Sterling & Wing are still to be determined. He brought up the possibility of adding a meeting in Bismarck on a Saturday. Vice-Chair Bakken invited Emergency Management Director Mary Senger to speak regarding the online forum for public input. Senger stated that the preliminary resolution and plan that was approved would be viewable on the site. She said to submit a comment, the user would have to enter their name, address, city, and optional email address & telephone number. Consensus amongst the Commission was to add the question of being for or against the preliminary resolution to the online forum. Senger stated that the online forum would be up either Tuesday or Wednesday. Vice-Chair Bakken read the preliminary resolution. Chair Bitner listed the counties that have changed their Auditor/Treasurer from an elected position to an appointed one and he presented the salary for the Auditor/Treasurer of \$111,238.40 without benefits and \$166,077.98 with benefits. Vice-Chair Bakken passed the meeting back to Chair Bitner.

County Engineer Marcus Hall presented an appeal for Matthew Stern's second approach permit which the Highway Department denied. Comm. Bakken asked if the second approach would be a problem in the future and Hall responded that as long as the road stays low traffic/speed it shouldn't be an issue. Motion by Comm. Bakken, 2<sup>nd</sup> by Comm. Munson to approve the second approach permit. All members present voted 'AYE'. Motion carried.

Engineer Hall withdrew the presentation on the developer's pavement waiver request as the developer is not moving forward on plating the property at this time.

Engineer Hall presented a resolution to authorize the proper County officials to enter into a contract for the replacement of Bridge #08-126-40.0. Motion by Comm. Munson, 2nd by Comm. Bakken to approve the bid with MMI Improvement Company for the replacement of Bridge #08-126-40.0. Comm. Woodcox asked how this bridge was being paid for and Hall said it would be paid for out of the general fund. All members present voted 'AYE'. Motion carried.

Engineer Hall stated that a meeting was held between the County and Bartlett & West regarding the failed motion at the February 19<sup>th</sup>, 2025 meeting to approve their selection. Comm. Schwab presented a recap of the meeting and said that in 2018, there was a feasibility study that was to be completed by Bartlett & West for the Missouri Valley Complex which was never received due to a lack of available information. Comm. Schwab stated that the meeting resulted in a refund of \$16,500 which was previously paid for the study. Chair Bitner handed the check to staff for receipting.

Engineer Hall requested approval of the selection of Bartlett & West to perform construction engineering services for 4" Mill and 4" Hot Mix Asphalt Overlay of County Highway 10 from 236<sup>th</sup> Street NE to ND Highway 14 and the Seal Coat of County Highway 10 from 800' East of 66<sup>th</sup> Street NE to ND Highway 14. He stated that these services will be paid eighty percent federal and twenty percent local. Motion by Comm. Bakken, 2nd by Comm. Schwab to approve the selection of Bartlett & West. All members present voted 'AYE'. Motion carried.

County Planning Director Mitch Flanagan presented a petition to amend Article 8 Section 28 to allow accessory dwelling units in Burleigh County. He stated that the goal of this petition is to allow the accessory dwelling units to be built with the expectation that they will only be used for relatives. Flanagan stated that the City of Bismarck allows them and the home owner signs a non-conversion agreement which is what this amendment would require. Motion by Comm. Schwab, 2<sup>nd</sup> by Comm. Munson to approve the amendment. All members present voted 'AYE'. Motion carried.

Chair Bitner stated that Comm. Bakken has an opportunity to speak regarding carbon sequestration in Washington DC. Bakken asked if there was a representative of Summit Carbon Solutions with no response. He said that he was asked to speak at the event as an elected official and is seeking Commission approval to speak for the County. Bakken stated that there is no cost for the County for this trip. Motion by Comm. Woodcox, 2<sup>nd</sup> by Comm. Munson to approve Comm. Bakken speaking on behalf of the County in Washington DC. Comm. Munson, Comm. Woodcox, Comm. Schwab, and Chair Bitner voted 'AYE'. Comm. Bakken abstained. Motion carried.

County Auditor/Treasurer Mark Splonskowski presented a consideration of the financing resolution for SAD 76 in Falconer's Estates. He said that financing was secured through the Bank of North Dakota with an interest rate of two percent. Motion by Comm. Munson, 2<sup>nd</sup> by Comm. Bakken to approve the resolution. All member present voted 'AYE'. Motion carried.

Chair Bitner inquired on other business and Comm. Bakken thanked the people who showed up to the public hearing, noticed the next scheduled meeting of March 17<sup>th</sup>, 2025 at 5:00pm, and mentioned adding a third public hearing in Bismarck in addition to Sterling and Wing. Bitner requested Emergency Management

Director Senger to look for a location to hold a Saturday public hearing in Bismarck. Comm. Schwab presented a reminder for the Primary Residence Property Tax Credit which can be applied for up until March 31<sup>st</sup>, 2025 via a link on the Burleigh.gov website. Comm. Woodcox requested that time be allocated at the next public hearing for the Commission to discuss the problems they have had regarding the Auditor/Treasurer over the last year and a half. Chair Bitner stated that would be part of the public hearing.

Meeting Adjourned

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Mark Splonskowski,  
County Auditor/Treasurer

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Brian Bitner,  
Chairman

DRAFT

The following list of abatements and settlement of taxes is forwarded for action to the Burleigh County Commission:

<b>Abate #</b>	<b>Owner</b>	<b>Tax Year</b>	<b>Legal Description</b>	<b>Credit Type</b>	<b>Current MV</b>	<b>Reduced MV</b>
25-126	Jade Falcon	2024	Lot 13, Block 4, Pheasant Valley	80% Disabled Veteran	\$642,000	\$480,000
25-148	Jacson & Carla Rundquist	2024	Lot 9, Block 7, Sattler's Sunrise 7th N 16' of Lot 28, all Lot 29, & S17' of Lot 30,	100% Disabled Veteran	\$158,300	\$140,300
25-153	Harvey & Barbara Jackson	2024	Block 38, Fisher	50% Homestead Credit	\$139,700	\$69,850
25-154	Janice Nesja	2024	Unit 4 3312 Arrowhead Condos, Lot 22, Block 1, Pebble Crk 8th Replat	50% Homestead Credit	\$311,800	\$211,800
25-155	Gary & Paula Hofland	2023	Unit 8 Bldg 1403 Baumgartner's Sharloh Lp Condos, Lot 8, Block 4, East Hills Add Replat	100% Homestead Credit	\$1,100	\$0
25-156	Gary & Paula Hofland	2024	Unit 8 Bldg 1403 Baumgartner's Sharloh Lp Condos, Lot 8, Block 4, East Hills Add Replat	50% Homestead Credit	\$3,400	\$1,700
25-157	Curtis Mertz	2025	1985 Schult 48 x 28, serial #RF198858AB	50% Homestead Credit	\$28,103	\$14,052
25-158	Greg & Tracey Runyon	2025	2002 Atlantic 27 x 56 S50' of N200' of W1/2 less W30' of Blk 17,	50% Homestead Credit	\$60,329	\$30,164
25-159	Clifton Erickson Charles & Sandra	2024	Block 17, Lincoln	100% Homestead Credit	\$220,400	\$20,400
25-160	Ketterling Charles & Sandra	2023	Lot 2, Block 11, Lincoln Replat of B11	50% Homestead Credit	\$223,800	\$123,800
25-161	Ketterling	2024	Lot 2, Block 11, Lincoln Replat of B11 Unit 12 & garage 1 bldg 2106 Washington Court Condos, Lot B of Lot 1, Block 13,	50% Homestead Credit	\$237,500	\$137,500
25-162	Michael Brown	2023	Replat Homan Acres	100% Homestead Credit	\$113,200	\$0
25-163	Michael Brown	2024	Unit 12 & garage 1 bldg 2106 Washington Court Condos, Lot B of Lot 1, Block 13, Replat Homan Acres	100% Homestead Credit	\$119,200	\$0
25-164	James & Cynthia Vollmer	2024	Lot 6, Block 2, Indian Hills	50% Homestead Credit	\$284,200	\$184,200

25-165	Todd & Gabrielle Sutton Nancy & Jorge	2024	N10' of Lot 23, all Lot 24, & S10' of Lot 25, Block 67, McKenzie & Coffin's Lot 1, Block 1, Southbay 4th Add 2nd	90% Disabled Veteran	\$238,100	\$197,600
25-166	PichardoQuezada	2024	Replat 2016 Fairmont 28 x 64, serial #MY16-	70% Disabled Veteran	\$230,200	\$156,700
25-167	Duane & Juanita Martin	2025	128538ABK	50% Homestead Credit	\$111,821	\$55,910
25-168	Robert Christenson	2023	Lot 14, Block 19, Morningside Heights	100% Homestead Credit	\$217,300	\$17,300
25-169	Mary Wieben	2024	Lot 12, Block 17, Washington Heights 10th	50% Homestead Credit	\$295,000	\$195,000
25-170	Curtis Mertz	2023	1985 Schult 48 x 28, serial #RF198858AB	50% Homestead Credit	\$28,103	\$14,051
25-171	Curtis Mertz	2024	1985 Schult 48 x 28, serial #RF198858AB	50% Homestead Credit	\$28,103	\$14,051
25-172	Larry Ensz	2025	1995 Royalton 16 x 76, serial #9423361A	100% Homestead Credit	\$34,145	\$0
25-173	Ernest Erhardt	2024	Lot A of Lots 8-9, North Star Acres	50% Homestead Credit	\$384,000	\$284,000
25-174	Daryl & Twila Wanner	2025	1994 Schult 64 x 28, serial #R263514AB	50% Homestead Credit	\$55,158	\$27,579
25-175	Marty & Judy Grothe	2023	1990 Marshfield Executive 17 x 76, VIN #062339	100% Homestead Credit	\$26,290	\$0
25-176	Tim Heckelsmiller	2024	1981 Chicasaw 70 x 14, VIN #6544w	Mobile home removed from lot in 2024	\$10,349	\$0
25-177	Tracy & Cynthia Vanous	2023	Lots 1, 2, and 4, Block 1, Schultz Unit 4 Calgary Condos, Lot 3, Block 1,	50% Homestead Credit	\$352,300	\$252,300
25-178	Amelia Schweitzer	2024	North Hills 7th	100% Homestead Credit	\$182,500	\$0
25-179	Jeffery & Victoria Haas	2024	Unit 4 & garage 4 (bldg 872) San Angelo Dr Condo Assoc, Lots 3-5, Block 2, Cottonwood Lake 5th	50% Homestead Credit	\$208,600	\$108,600

Kenneth & Alvinia

25-183	Buchholz	2024	Lot 5, Block 20, Meadow Valley 4th Unit 3084 Pheasant Run Condo, part of Lot	50% Homestead Credit	\$245,700	\$145,700
25-184	Marlene Streeper	2024	4, Block 2, Tatley Meadows V	50% Homestead Credit	\$185,000	\$92,500
25-185	Carleton & Yvonne Logan	2023	Lot 11, Block 2, the Pointe	100% Homestead Credit	\$350,700	\$150,700
25-186	Carleton Logan Roger Allen & Sandra	2024	Lot 11, Block 2, the Pointe Lot 10-11 less 10' x 117.5' tract in Lot 11,	100% Homestead Credit	\$367,100	\$167,100
25-187	Thomsen	2024	Block 2, Baldwin Townsite	50% Homestead Credit	\$74,100	\$37,050



**ITEM**

**# 6**

# PUBLIC HEARING

Preliminary Resolution on Redesignating Elective Office of  
Burleigh County Auditor / Treasurer to Appointive Office

Whereas the elective offices of Burleigh County Auditor and Burleigh County Treasurer have been combined into one elective office May 5, 2003;

Whereas the County Auditor / Treasurer's primary duties are chief financial officer, elections officer, secretary to the County Commission, keeping track of all property taxes, and to act as the accountant, financial manager, and investor for the county;

Whereas pursuant to N.D.C.C. § 11-10-04, the qualification for an elected County Auditor or County Treasurer is the candidate must be a qualified elector in the county, which is at least eighteen years old and a resident of the county;

Whereas the Board of County Commissioners believes that more qualifications are necessary for an individual to hold the position of Auditor / Treasurer;

Whereas the Home Rule Charter for Burleigh County as passed on June 11, 2024, Article III sec. 3 allows the Board of County Commissioners to follow state law converting the elected office of county auditor / treasurer into an appointed office and pursuant to N.D.C.C. § 11-10.2-01(1)(c), the county may redesignate an elective county office as an appointive office; now, therefore, be it

*Resolved*, that effective April 1, 2027 and in accordance with the details of the following plan, the office of Burleigh County Auditor / Treasurer be redesignated as an appointive office;

*Resolved*, that a copy of this preliminary resolution and accompanying plan shall be filed in the Office of the County Auditor / Treasurer and shall be published once each week for two consecutive weeks , with public hearings scheduled thereafter.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Brian Bitner, Chair  
Burleigh County Commission

Attest: \_\_\_\_\_  
Mark Splonskowski  
Burleigh County Auditor / Treasurer

Plan for Redesignating Elective Office of  
Burleigh County Auditor / Treasurer to Appointive Office

1. Office of Burleigh County Auditor / Treasurer is redesignated as an appointive office effective April 1, 2027, when the current term for Auditor Treasurer expires.
2. Director of Human Resources shall develop a job description to include all statutory job duties of county auditor and county treasurer along with job qualifications, including experience in finance or accounting, and appropriate pay grade for approval by the Burleigh County Commission no later than sixty (60) days after any final resolution adopting the plan.
3. The recruitment and retention for the office of Burleigh County Auditor / Treasurer shall be governed by the Burleigh County Personnel Policy Manual and Handbook.

**ITEM**

**# 7**



# BURLEIGH COUNTY HIGHWAY DEPARTMENT

8100 43<sup>RD</sup> AVENUE NE  
BISMARCK, ND 58503  
701-204-7748  
FAX 701-204-7749  
[www.burleigh.gov](http://www.burleigh.gov)

## Request for County Board Action

**DATE:** March 17, 2025

**TO:** Mark Splonskowski  
County Auditor

**FROM:** Marcus J. Hall  
County Engineer

**RE:** Developer Waiver Request

Please include this item on the next Burleigh County Board agenda.

### **ACTION REQUESTED:**

Review and Direct the County Highway Department on how to proceed with the Developer's request.

### **BACKGROUND:**

Under the current Pavement Policy, developers (owners of property that is being platted) are required to: "Proposed platted subdivisions will include the construction and paving of all internal roadways and adjacent section line roads, and the construction and paving of at least one roadway that connects into the existing paved highway system."

Ski Haven LLP, in the SW ¼ of Section 22, Lincoln Township (see attached map), is proposing a one (1) lot subdivision (? Subdivision), and is requesting a waiver of the Pavement Policy. Under the Pavement Policy, the platting of this property would require them to re-construct and pave 0.50 miles of County/Township roadway along the north and east.

Waiving the Pavement Policy allows the County Board to approve the proposed plat without the developer re-constructing and paving the required roadways at this time. It does not preclude the County/Township from requiring the property owner from sharing in the cost to construct and pave these roadways (that benefit this property) in the future.

**RECOMMENDATION:**

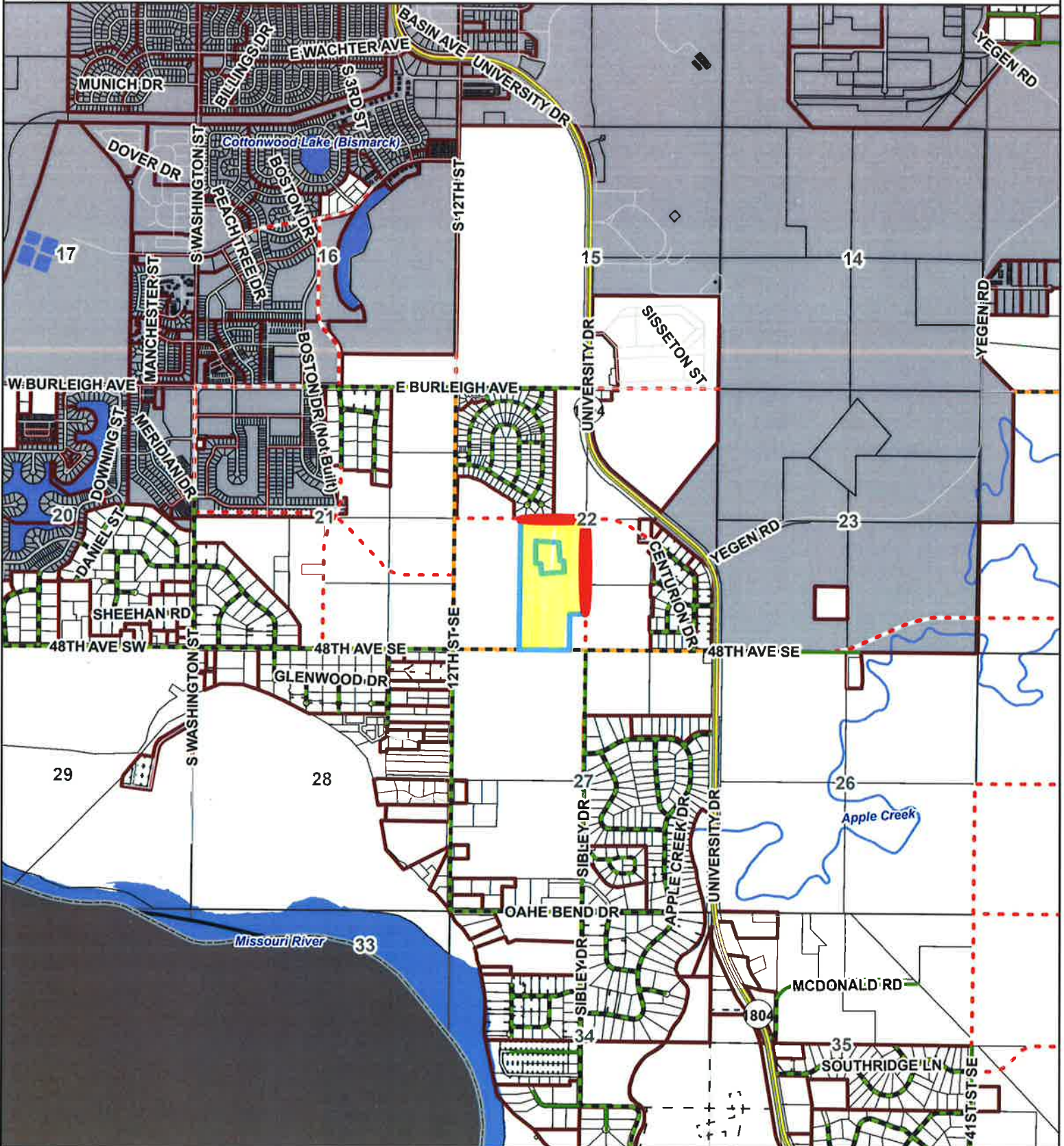
It is recommended that the County Board adopt the attached proposed resolution.

**PROPOSED RESOLUTION:**

THEREFORE, BE IT RESOLVED: That the County Board of Commissioners do hereby recognize that the waiving of the Pavement Policy at this time is only to allow the proposed plat to be approved and does not preclude the County/Township from requiring the property owner from sharing in the cost to construct and pave these roadways (that benefit this property) in the future, and

THEREFORE, BE IT FURTHER RESOLVED: That the County Board of Commissioners do hereby grant Sky Haven LLP request to waive the construction and paving requirements "construction and paving of at least one roadway that connects into the existing paved highway system" listed in the Pavement Policy, in conjunction with the approval of their Subdivision.

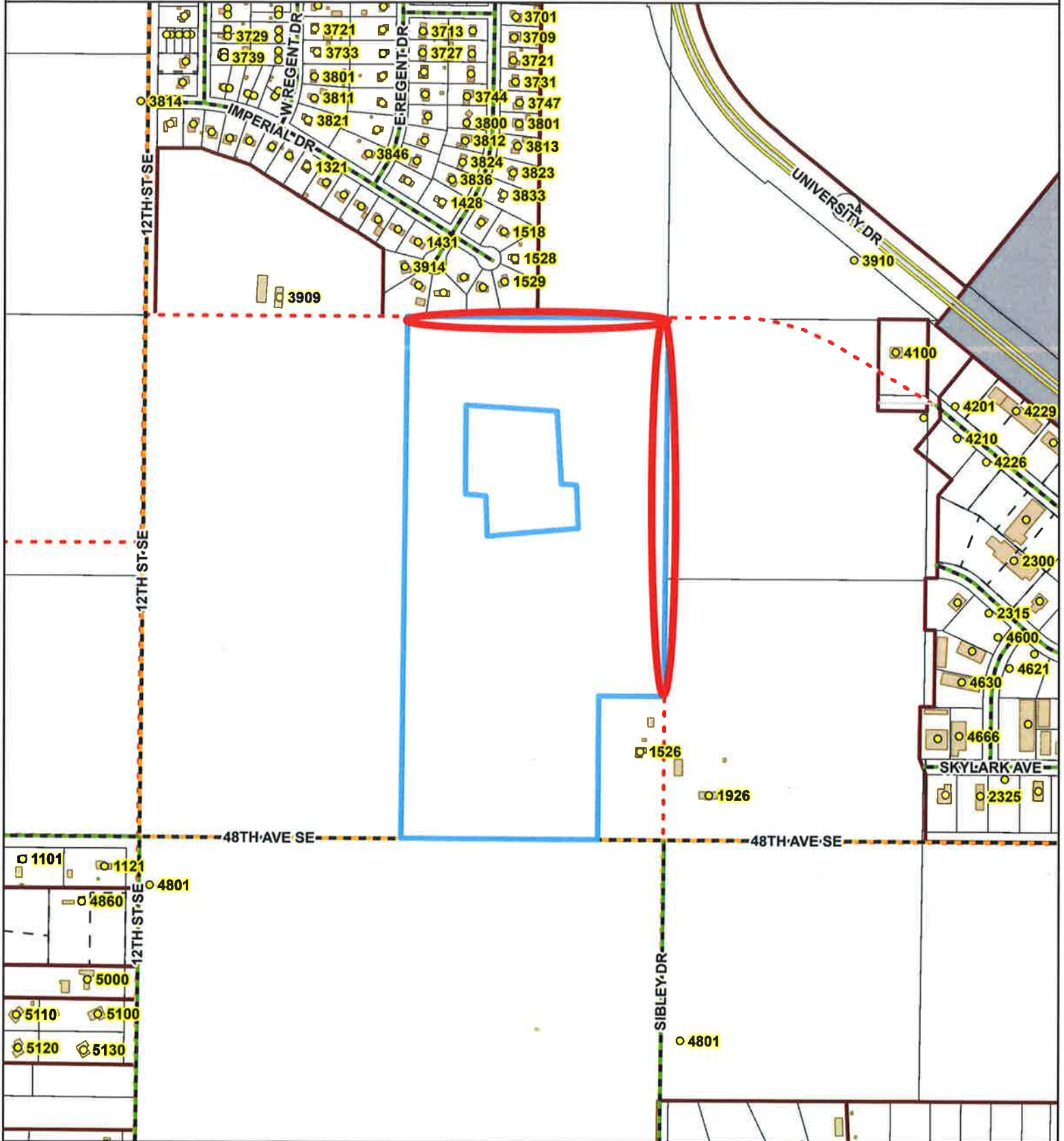
# BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP



PARCEL ID: 38-138-80-00-22-615      OWNER: SKI HAVEN LLP      ACRES: 67.7  
SITE ADDRESS:  
MAIL ADDRESS: PO BOX 1272, BISMARCK, ND 58502-1272  
LEGAL: LINCOLN TOWNSHIP Section 22 E1/2SW1/4 LESS TRACT B, LESS 66.01' NORTH OF, ADJACENT TO AND PARALLEL WITH ENTIRE NORTH LINE OF T-TRACT B & LESS LAGOON 22-138-80

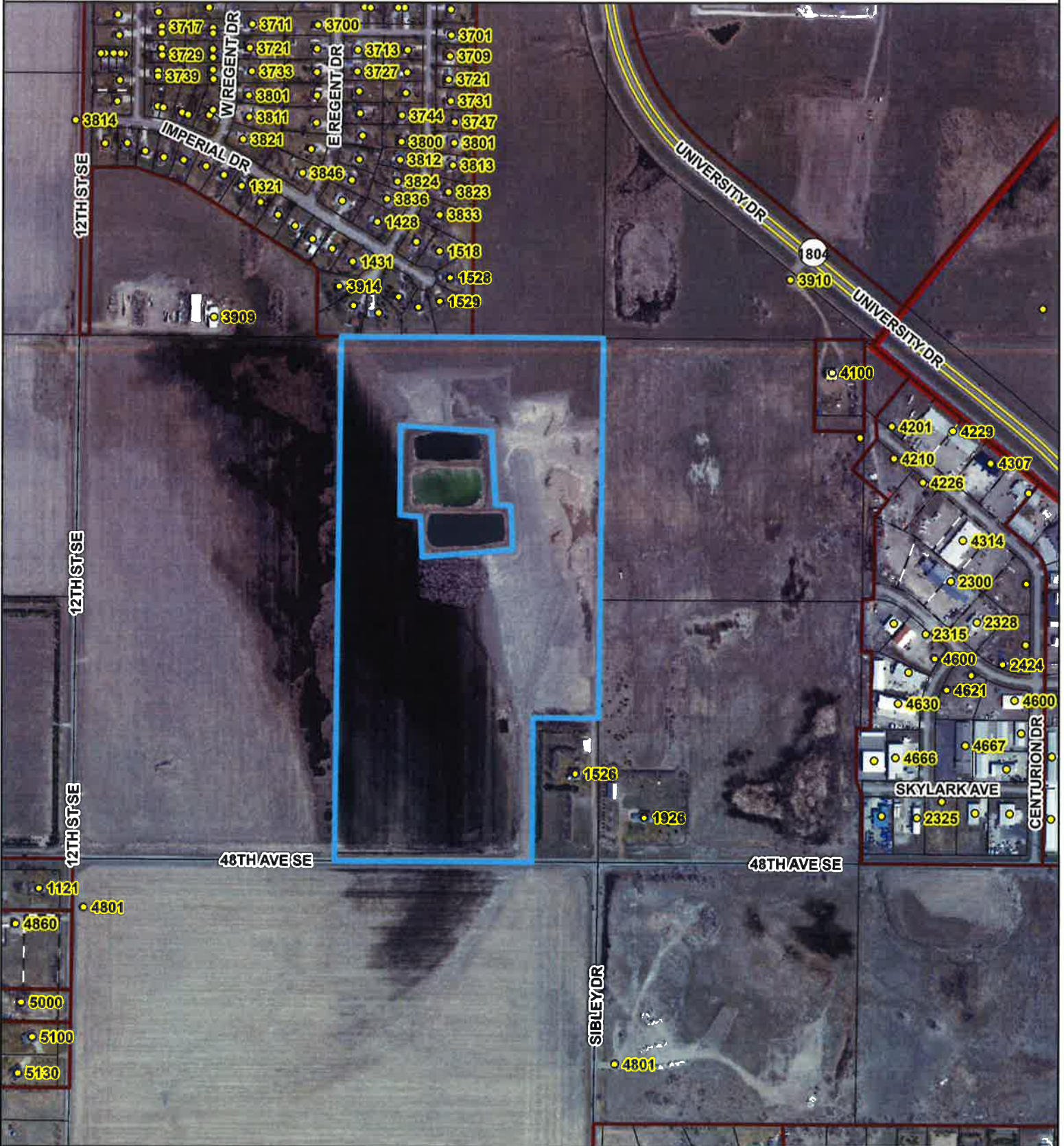


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**ITEM**

**# 8**

# BURLEIGH COUNTY STATE'S ATTORNEY

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STATE'S ATTORNEY  
JULIE LAWYER

TO: Burleigh County Commission

FROM: Julie Lawyer, State's Attorney

DATE: March 11, 2025

RE: Request for Salary Variance - Investigator

I am requesting a salary variance for a new hire for the State's Attorney Investigator position. The request is for a grade 7, step 9 salary of \$69,160 per year.

The successful candidate comes to us with a Bachelor's Degree in Criminal Justice and nearly thirty years of law enforcement experience with twenty-four years as an investigator for various law enforcement agencies. His investigative experience is currently focused on internet crimes against children, but he has experience investigating all manner of crimes. In his current role, he has assisted Burleigh County law enforcement agencies and this office in some highly significant cases in the last 10 years to include:

Nikki Entzel / Earl Howard - Homicide, Arson, Tampering with Evidence  
Dawson Rouse - Gross Sexual Imposition, Luring Minors by Computer, Promoting Obscenity to Minors, Using Minors in Sexual Performance (34 counts)  
John Vetter - Possession of Child Sexual Abuse Materials (Vetter was an elementary school teacher in Lincoln)  
Michael Rivera - Promoting Sexual Performance of a Minor, Creation of Sexually Expressive Images (21 counts) (Rivera was a Deputy US Marshal in Bismarck)

The variance requested represents a significant pay decrease for this candidate – over 50% decrease in his current salary.

The State's Attorney Investigator position is set at Grade 7 for salary, the same as Sheriff's Deputy. However, the minimum education / experience requirement for Investigator is a 4-year degree AND 5 years' investigations experience OR 9 years' investigative experience. The minimum education / experience requirements for Deputy is an Associate's Degree OR 3 years' law enforcement experience OR 4 years' military experience. This limits the candidates who are willing to apply for our position; by the time they have amassed the experience we require, they are earning more than what we can pay.

Given that this candidate has nearly 19 years of additional experience than the minimum qualifications we require, I believe a variance in the starting salary is justified.